

New Hampshire School Boards Association
Legislative Bulletin
January 18, 2008



A Weekly Update of Important Activity in the Legislature

Education Adequacy Commission

The Commission had a work session cancelled due to the snow storm Monday, but future work sessions are scheduled for January 18th, 25th, 28th and February 1st. Work will focus on identifying additional resources required for schools with enhanced needs. The final report is due February 1, 2008.

Special Education

The House met Wednesday and took action on several bills retained from last session. HBs 679 and 766 are now the vehicles for the five separate special education bills that were introduced last year. HB 679 contains provisions primarily addressing neglected and delinquent children, and HB 766 specifically updates the special education statute (186-C). While much compromise and needed updates to language was accomplished, the bills still contain provisions that include parental reimbursement for the cost of expert witness fees, require specific, intermediate objectives (short-term benchmarks) for all IEPs (unless the *team* determines them unnecessary), and provision for directives to school districts being made on specific cases during the process of a program monitoring review. The two bills have no fiscal note and are scheduled to go to the Senate. In addition, HB 678 was passed, creating a study committee on financial responsibility for mapping and maintaining cochlear implants. As a study bill, HB 678 should now go directly to the Senate for consideration.

Labor Relations

The House Labor Committee held a public hearing on HB 1344, mandating the use of binding arbitration when public employees and employers fail to reach agreement. Proponents of the bill argued for a need for closure to the negotiations process. Numerous opponents testified to the deleterious effect it would have on local negotiations, and that it removes financial decision making from the local legislative body, placing it with an outside third party. A sub-committee of Labor was created to review the provisions of the bill. Please contact your local representatives and alert them to this bill that takes away legislative body approval of locally negotiated contracts. You may also contact members of the House Labor Committee (<http://www.gencourt.state.nh.us/house/committees/committeedetails.aspx?code=H11>).

Right to Know

The House Judiciary Committee held a public hearing on HB 1408, relative to the Right to Know Law. Two previous sessions failed to amend this law due to different opinions on communications that might occur between elected members outside official meetings. Public meetings would be defined as a quorum, or a majority if the public body's rules define "quorum" as more than a majority, whether in person or other means if participating members are able to communicate with each other contemporaneously, to discuss or act upon official business. Chance, social or other encounters not convened for the purpose of discussing business would not constitute a meeting if no decisions are made. The bill also contains provision for one or more officials to participate by electronic means without being physically present. This may occur only if attendance in person is not reasonably practical, a quorum is physically present, and all discussions are audible to everyone, including the public.

Reminder: NHSBA Delegate Assembly: The NHSBA Annual Delegate Assembly will be held Saturday, January 19, at the Local Government Center in Concord. It begins with an Early Bird Session from 10:45-11:45 on state retirement and legislative issues. A working lunch from noon – 1pm will feature Michael Resnick of the National School Boards Association, providing an update on federal issues. The Business Meeting and Resolutions are scheduled from 1-3:30. Call NHSBA at 228-2061 for more information, or register on-line at <http://www.nhsba.org/calendar.asp>.

For the complete text of any bill, go to <http://www.gencourt.state.nh.us/ns/billstatus/quickbill.html> and enter the bill number, e.g. HB927 (no spaces!).

For more information on specific legislation, please call Dean Michener, NHSBA Director of Governmental Affairs at 603-228-2061, or email: deanm@nhsba.org.