

**New Hampshire School Boards Association
Legislative Bulletin
March 23, 2007**



A Quick Summary of NH Legislative Happenings

Please note the first bill, HB 653, calls for your support and **action** to make a legislative difference.

Current House Bills (HB) or Senate Bills (SB) you need to know:

HB 653 – the NH Retirement System

The House adopted a first step to stabilize the pension fund and increase the current low funding ratio of assets to liabilities by changing to the entry age normal methodology. It does not defer payment commitments, eliminating the siphoning of earnings from the pension fund to the special account until the system is at least 85% funded and using only those earnings in excess of 10.5%, repealing the 5-year buyback provision, capping a member's benefit at 100% of the highest year of earnable compensation, and making a floor for employer contributions equal to the employee rate. A management seat on the board was also added. Increases in employee rates were not included and COLAs will remain subject to legislative determination and approval. The bill now moves to the Senate for further review and consideration.

ACTION ITEM

Contact your Senator and explain that while HB 653 is a good start, but more needs to be accomplished, including sharing in costs by employees. Specific reference should be made to recommendations contained in the original “working group” proposal, including: an increase in employee rates, from 5 to 7% for Group I (employees and teachers), and from 9.3 to 13% for Group II (police and fire); using the highest 5, instead of 3, years of pay for determining average final compensation, and capping earnings at 100% of base salary.

HB 927 – Defining an Adequate Education with Kindergarten

The House adopted by roll call vote (226-132) a definition for an Adequate Education consisting of educational programs contained in the school approval standards (English/language arts and reading, mathematics, science, social studies, art, world languages, health, physical education and technology) for half-day kindergarten through twelfth grade. It acknowledges that students' educational needs vary, as do the corresponding resources needed. Debate on the bill included a discussion of whether there were associated costs. It was determined that the bill contained no appropriation, and that associated costs would be the subject of subsequent legislation after final adoption of a definition. The bill now moves to the Senate for further consideration. *(For the definition and related information, see [The Joint Legislative Task Force on Adequacy](#) and [The House Definition of Adequacy – HB927.](#))*

HB 451 – Changes in Catastrophic Aid

The House adopted a change in the catastrophic special education aid formula, requiring identification of all sources of aid for an individual student (state and federal). Eligibility for Cat Aid will still commence at 3.5 times the state average expenditure per pupil, but must now exclude any pupil-specific aid received by the district. The bill now moves to the Senate for further consideration.

HB 377 – Right-to-Know Law

The House adopted language clarifying right-to-know issues related to both governmental records kept in electronic form and electronic communications. RSA 91-A would define a meeting as the convening of a quorum, or majority, such that members are able to communicate contemporaneously to discuss or act on matters. The bill now moves to the Senate for further consideration.

HB 446 – Criminal threatening in a safe school zone

The House adopted language adding criminal threatening to the definition of an act of theft, destruction, or violence within the safe school zones statute (RSA 193-D:1), thereby including threatening as a possible basis for expulsion. The bill now moves to the Senate for further consideration.

SB 101 – Alternative education programs at regional vocational centers

The Senate adopted language allowing “at-risk students” (deemed to be in jeopardy of dropping out) to attend new “alternative education programs” offered at regional vocational education centers, and including these students’ costs in the tuition and transportation aid program. The bill was referred to Senate Finance for further review of the possible costs.

SCR 2 – Resolution on NCLB

The Senate adopted a resolution urging Congress to amend the No Child Left Behind Act, calling for more state flexibility in the monitoring, supervision, and evaluation of our schools. The resolution now moves to the House for consideration.

SCR 4 – Resolution on IDEA funding

The Senate adopted a resolution calling on the President and Congress to fully fund the federal share of special education under IDEA. The resolution now moves to the House for consideration.

CACR 18 – Constitutional amendment on the state’s role in providing an adequate education

Next Tuesday, April 3, the Senate Judiciary Committee will hear Governor Lynch’s proposed constitutional amendment. The proposal has bi-partisan sponsors and calls for the general court to define an adequate education, regularly determine the total statewide cost, fund not less than 50% of the cost, and maintain standards of accountability. The amendment grants the legislature authority to distribute the funds in a manner it deems best, to promote an equal opportunity for an adequate education for every child in public school. There is also a requirement for “some” aid to be distributed to every school district.

Please review the ACTION ITEMS above and contact your local representatives, senators, and committee members TODAY to voice your concerns regarding legislative proposals. Remember that you, through NHSBA, are the only locally elected officials that “speak” exclusively for public education in NH.

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. HB678, SB78 or CACR18 (no spaces!), and make sure the Session Year is 2007.

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