

**New Hampshire School Boards Association
Legislative Bulletin
April 20, 2007**



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

SB 88 – Public employee terms of employment, bargaining units, and dispute resolution

The House Labor Committee's public hearing on SB 88 is to be continued next Wednesday, April 25. This bill significantly changes the current collective bargaining law, RSA 273-A. It reduces the minimum number of employees for a bargaining unit from 10 to 3, and requires the continuation of any pay plan in an agreement if a new agreement is not reached when the contract expires (statutory evergreen clause). It removes "number of personnel" from managerial policy, making it subject to bargaining, and adds, "matters directly related to safety considerations" as items to be bargained under the terms and conditions of employment.

ACTION ITEM

Please contact members of the House Labor Committee (see <http://gencourt.state.nh.us/ns/billstatus/commdetails.asp?txtcommcode=H11>) and urge defeat of this bill. It allows negotiating the number of personnel and tips the balance of negotiations by unilaterally implementing pay raises without local voter approval. Remind committee members of their position on HB 89 (passed in the House and recommended for passage in the Senate next week) which creates a study committee on dispute resolution between local political subdivisions and public employees, specifically including the issue of evergreen clauses.

HB 653 – NH State Retirement System

This bill is scheduled for a hearing in the Senate Executive Departments & Administration Committee on April 27. It represents an effort to stabilize the pension fund and increase the current low funding ratio of assets to liabilities. It incorporates provisions to: retain the defined benefit plan, change to an entry age normal actuarial methodology that does not defer payment commitments, add a management board member, change the siphoning of earnings from the pension fund to the special account, cap a member's benefit at 100% of the highest year of earnable compensation, and make a floor for employer contributions equal to the employee rate (e.g. no less than 5% for teachers).

ACTION ITEM

Please contact members of the Senate ED&A Committee (see <http://www.gencourt.state.nh.us/ns/billstatus/commdetails.asp?txtcommcode=S06>) and explain that 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 143 – Apportionment of damages in civil actions

This bill requires damages in a lawsuit to be allocated among those defendants who remain in the case at the time of the verdict. It creates an undue pressure for settlements when a defendant (school district), which may be minimally liable, could inherit the full financial responsibility for an award if the remaining defendants settle prior to a verdict. Insurers will have to pay larger settlements, and districts will pay higher premiums. HB 143 passed the House and is in the Senate Judiciary Committee.

ACTION ITEM

Please contact members of the Senate Judiciary Committee (see <http://www.gencourt.state.nh.us/ns/billstatus/commdetails.asp?txtcommcode=S10>) and urge defeat of this bill. Defendants should only be held responsible for their fair share, not for those of others; plaintiffs should only receive compensation from the at-fault parties.

SB 47 – Supplemental Building Aid Still on Track!

This bill appropriates over \$2 million to make-up the fy 2007 shortfall in school building aid. After passing in the Senate, the bill has been recommended for passage by Division II of the House Finance Committee. It must still go to the full Finance Committee for a vote, and then to the House floor.

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.