

**New Hampshire School Boards Association
Legislative Bulletin
May 18, 2007**



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

SB 88 – Public employee terms of employment, bargaining units, and continuation of pay plans

A House Labor sub-committee will be recommending minor changes to the full committee next Tuesday. The recommendations are: reduce the minimum number of employees for a bargaining unit from 10 to 5, require the continuation of any pay plan when the contract expires (statutory evergreen clause), and add “matters directly related to safety considerations” as items to be bargained. The proposal to leave “number of personnel” within managerial prerogative and not subject to bargaining will likely be debated.

ACTION ITEM

Please **CONTINUE** to voice your strong opposition to SB 88 with your local representatives as well as members of the House Labor Committee (<http://gencourt.state.nh.us/ns/billstatus/commdetails.asp?txtcommcode=H11>), and urge defeat of this bill. Either as passed by the Senate, or as recommended by the sub-committee, it dramatically tips the balance of negotiations and unilaterally implements pay raises without local voter approval. HB 89 (now signed into law) creates a study committee on dispute resolution that specifically includes the issue of evergreen clauses.

HB 653 – NH State Retirement System

The Senate postponed the vote on this bill until next Thursday. In addition to providing a COLA for current retirees, HB 653 makes several needed corrections to the retirement system. Important changes to address the fiscal integrity of NHRS include switching to the Entry Age Normal actuarial methodology and eliminating the drain of money from the pension fund itself to the special account. HB 653 would prevent this siphoning away of funds until the system is 85% funded and investment returns exceed 10.5%. Delaying action not only allows \$25 million to be transferred out of the pension fund this July, but also ensures extreme increases in employer rates as the unfunded accrued liability continues to grow.

ACTION ITEM

Please contact your senator and explain that HB 653 contains needed reform for the fiscal integrity of NHRS. Specific reference should be made to recommendations contained in the original “working group” proposal, and that it is important to make the changes now. Without any changes, the current bill will dramatically increase employer rates.

HB 143 – Apportionment of damages in civil actions

The Senate Judiciary Committee will hold a hearing on this bill that 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.

ACTION ITEM

Please contact your senator and 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.

(continued...)

HB 377 – Right to Know Law

This bill clarifies the manner in which the right-to-know law applies to both governmental records kept in electronic form and electronic communications used for governmental business. As passed by the House, public meetings are defined as a majority of a public body, whether in person, by means of telephone or electronic communication, or any other manner such that all participating members are able to communicate contemporaneously. The bill acknowledges that chance social encounters may occur, but no decisions can be made or anything that violates the spirit of the right-to-know law.

ACTION ITEM

HB 377 passed the House and is currently under consideration by the Senate Public and Municipal Affairs Committee (<http://www.gencourt.state.nh.us/ns/billstatus/commdetails.asp?txtcommcode=S27>). Contact your senator and support this clarification and update to the current law.

SB 18 & 101 – Raising the age of required attendance & state payments for at-risk students in alt. programs

The House has given preliminary approval to both of these bills. SB 18 raises the age of compulsory attendance, requiring 16 & 17 year olds to either attend school or have an alternative plan approved by the local superintendent. SB 101 provides for the state to pay tuition and transportation costs of students attending alternative education programs at the regional tech centers. Both bills now go to the House Finance Committee for further review.

ACTION ITEM

Please contact your local representatives and voice support for these bills as companion legislation reflecting good policy and a state partnership. NHSBA resolution # 18 (http://www.nhsba.org/about_resolutions.asp) specifically addresses this legislation. The budget as passed by the House more than doubles dropout prevention funding, providing at-risk students with more tutoring and assistance. It also expands the state's vocational tuition and transportation aid program to provide more access to regional tech centers for attendance at alternative programs.

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.