

**New Hampshire School Boards Association
Legislative Bulletin
June 15, 2007**



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

CACR 18 – 19 – 20 – State funding of public education

After the rare move in the Senate suspending its rules to allow introduction of a new bill so late in the session, hearings were held on two new CACRs: CACR 19, sponsored by Democratic Senator Foster, and CACR 20, sponsored by Republican Senator Gatsas. During Senate deliberation, CACR 20 was re-referred back to committee, and CACR 19 failed to pass, one vote shy of the required 60% margin. The bill was then placed on the table, leaving the Senate at least two options for resurrecting a constitutional amendment proposal next year for consideration by voters in the fall of 2008. The House action on CACR 18 remains unchanged: the vote to Indefinitely Postpone CACR 18 prohibits consideration of any “substantially similar” legislation next year, unless the rule changes!

HB 143 – Apportionment of Damages

The Senate passed this bill with a minor amendment, and the House agreed with the change, sending the bill to the Governor for signature. HB 143 will allow “deep pocket” defendants, who may be minimally responsible, to assume financial liability for large damage awards.

ACTION ITEM

Please contact Governor Lynch (<http://www.nh.gov/governor/contactus.htm>) and urge defeat of this bill. NHSBA is part of a coalition working to inform the Governor of the negative consequences of HB 143. Defendants should only be held responsible for their fair share; plaintiffs should only receive compensation from the at-fault parties. (For more information on HB 143, see NHSBA March 9 Bulletin at http://www.nhsba.org/legb_03_09_07.asp)

HB 927 – Defining an Adequate Education

The Senate version of adequacy includes many provisions contained in the House version, (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), with key additions. The Senate definition references kindergarten through twelfth grade, allowing for full-day kindergarten programs. It also requires the legislature to determine resources necessary to provide essential programs in districts with greater challenges. Also required is the identification of enhanced needs schools that are eligible for enhanced core resources, such as experienced teachers, smaller class sizes, full day kindergarten, student support services, staff training and instructional resources.

The Senate version also creates a Legislative Oversight Committee on Costing an Adequate Education, required to report by February 1, 2008.

A Committee of Conference has been established to resolve differences. House conferees are Representatives Rous (D, Durham), Casey (D, Kingston), Dunn (D, Keene) and Hess (R, Hooksett). Senate conferees are Senators Estabrook (D, Durham), Foster (D, Nashua) and Odell (R, Lempster).

HB 377 – Right to Know Law

The Senate version of this bill contains stricter language prohibiting ANY communication among a majority of a board, except for communications regarding purely administrative matters. The language replaces the current allowance for a “chance or social meeting” that is unplanned and at which no decisions are made. Such language could prove burdensome for 3 or 5 person boards where a majority accidentally meets and comments on an issue, despite no intent to meet nor any decision made.

A Committee of Conference has been established to hopefully negotiate a better amendment. House conferees are Representatives Shurtleff (D, Penacook), Weber (D, Walpole), Wall (D, Madbury) and Jasper (R, Hudson). Senate conferees are Senators Foster (D, Nashua), Burling (D, Cornish) and Downing (R, Salem).

HB 37 – Notice requirements for criminal offenders and policies on volunteers

HB 37 contains a requirement for school districts to adopt a policy designating certain categories of volunteers who may be required to undergo a criminal history records check. The Senate deleted language providing districts immunity when acting in accordance with policy. A Committee of Conference has been established to hopefully restore immunity protection to school districts. House conferees are Representatives Hess (R, Hooksett), Barbara Shaw (D, Manchester), Day (D, N. Hampton) and Welch (R, Kingston). Senate conferees are Senators Gottesman (D, Nashua), Letourneau (R, Derry) and Foster (D, Nashua).

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.