

**New Hampshire School Boards Association
Legislative Bulletin
January 19, 2007**



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SCHOOL BOARDS
ASSOCIATION

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Legislative Hearings Have Begun

Legislative proposals are now coming forward, printed as bills and assigned to committees for public hearings. The public hearing process will be hectic as more and more bills are scheduled! This week, NHSBA offered testimony in opposition to HB 89, which would remove the prohibition on public school teacher strikes. The bill creates a new classification of "emergency" public employee (nurses, doctors, firefighters and police), and restricts the prohibition on strikes to those emergency public employees. NHSBA noted that allowing teachers to strike would be disruptive to the schools, impacting both students and parents. It would tip the neutral balance of the process laid out in 273-A and only serve to interrupt the educational program for students. A subcommittee will be reviewing the bill and corresponding testimony to make a recommendation to the full Labor Committee. Also this week, NHSBA supported HB 82, providing clarification to the Right-to-Know law regarding communications outside of a public meeting, and HB 53, clarifying the supervision of a Licensed Practical Nurse, or Certified Nurse Assistant, working for a school district. In addition, NHSBA offered comments on HB 37, relative to notification requirements for criminal offenders, and how this bill relates to another bill containing similar provisions that passed last year, HB 1692.

Next Week

The House Education Committee will be holding public hearings on HB 95, relative to including charter school pupils in the average daily membership in residence of the pupil's district of residence, and HB 79, relative to the safety of school bus stops. The Finance and Ways & Means Committees will continue holding briefings and receiving information from various agencies. The Judiciary Committee will hold a hearing on HCR (House Concurrent Resolution) 1, a Resolution declaring that the directives of the judicial branch in the Claremont cases are not binding on the legislative and executive branches. These directives are that the legislative and executive branches define an "adequate education," adopt "standards of accountability," and "guarantee adequate funding" of a public education. If a concurrent resolution of the House or Senate passes, it moves to the other body for consideration. It does not require the signature of the Governor and does not have the force of law.

Legislative Process 101

Based on several calls and questions regarding the legislative process this session, we are providing a very brief overview of how things work at the State House, and the route a bill travels to become law.

A member of the House or Senate submits a proposal, which is drafted by Legislative Services. After careful reading and review, the sponsor "signs off" on the bill and it is then introduced into the House or Senate, where the House Speaker, or Senate President, refers the bill to an existing committee based on its topic.

Bills receive advance public notice in a House or Senate Calendar before a public hearing is held. At the hearing, public testimony is offered and committee members hear arguments both for and against the bill. At a later date, the committee holds an executive session, which is open to the public but only committee members participate in discussion, and a final vote is taken on the bill.

The vote of the committee is a recommendation to either the full House, or Senate, and is one of four possibilities: 1) Ought to Pass, 2) Ought to Pass as Amended, 3) Inexpedient to Legislate (i.e. kill the bill), or 4) Refer to Interim Study. The recommendation of the committee is then voted on by the full House or Senate, which is actually voting to either adopt (concur with) the committee's recommendation, or not. If the bill passes, it then moves to the other body (House or Senate) where it is again assigned to a committee and repeats the process.

Both the House and Senate must pass a bill in the exact same form before it can be sent to the governor.

If the bill is amended during the second process, i.e. by the body where it did not originate, it must be sent back to the original body for concurrence with the amendment. Conference Committees can be created when both bodies cannot agree on the same language of a bill. The conference committee attempts to reach a compromise, which must then be approved by both bodies.

When a bill has passed both the House and Senate, it is actually sent to the Enrolled Bills Committee, which conducts a final proof of the bill for any errors. The bill is then forwarded to the Secretary of State and finally transmitted to the Governor. The Governor has five days to act on the bill: he may sign the bill into law, veto it or do nothing. If the Governor takes no action within five days, and the legislature is in session, then the bill becomes law without a signature. The Governor may kill a bill by veto, but the legislature may overturn any gubernatorial veto and pass a law without the governor's approval: this action requires a super-majority vote of both the House and Senate.

Sound confusing? Feel free to call me if you would like any further clarification!

*Make sure your local representatives know where their school board stands on important legislative proposals. Keep your legislators informed and aware. **Remember that you, through NHSBA, are the only locally elected officials that "speak" exclusively for public education in NH.** Need some help? Learn how you can be involved in NHSBA'S Legislative Advocacy Network and make your board's voice heard.*

Call NHSBA (800-272-0653) or (603-228-2061) today and be part of the team. For more information or details, or for information on specific legislation, please call Dean Michener at 603-228-2061.

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