

Bill as Introduced

HB 376 - AS INTRODUCED

2011 SESSION

11-0434
04/09

HOUSE BILL **376**

AN ACT relative to representative voting on joint boards of school administrative units.

SPONSORS: Rep. Pitre, Straf 3; Rep. Cataldo, Straf 3; Rep. Weeden, Straf 6

COMMITTEE: Education

ANALYSIS

This bill makes changes to representative voting on a joint board of a school administrative unit.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears ~~(in brackets and struck through)~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to representative voting on joint boards of school administrative units.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Administrative Units; Representation. Amend RSA 194-C:7 to read as follows:

2 194-C:7 Representation. Every school district maintaining one or more public schools shall be
3 entitled to 3 votes on the joint board of school administrative units, ~~plus additional votes as~~
4 ~~provided in RSA 194-C:8~~. Districts not maintaining schools shall have one representative on the
5 joint board, who shall be entitled to one vote. Each school district board member present shall be
6 entitled to have a proportionate share of the school district's votes provided that the total votes per
7 district shall be equally divided among the district's board members present and cast as each
8 member present decides on any issue.

9 2 School Administrative Units; Weighted Voting. Amend RSA 194-C:8 to read as follows:

10 194-C:8 Weighted Voting. In all votes regarding school administrative unit affairs, including
11 the organization of such unit's school board and selection of officers, each district shall be entitled to
12 one vote for each 16 pupils residing in that district and enrolled in schools under the administrative
13 unit. ~~[A balance of 8]~~ **Eight** or more students shall entitle that district to an additional vote. ~~[A~~
14 ~~balance of]~~ Fewer than 8 students shall have no net effect on a district's vote. ***Districts not***
15 ***maintaining schools shall have one representative on the joint board who shall be entitled***
16 ***to one vote, and such representative shall be entitled to weighted voting under this section.***
17 Enrollments shall be based on the average daily membership in residence of each district for the
18 school year which ended in the preceding June. Weighted votes shall only be used upon the demand
19 of a majority of the members of any board present and voting in the school administrative unit. The
20 school board members present at a school administrative unit school board meeting shall be entitled
21 to cast the entire number of votes assigned to their school districts, provided that each
22 representative present shall be entitled to a proportionate share of the total to be cast as provided in
23 RSA 194-C:7.

24 3 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 376

BILL TITLE: relative to representative voting on joint boards of school administrative units.

DATE: 2/22/11

LOB ROOM: 207 **Time Public Hearing Called to Order:** 12:10 pm

Time Adjourned: 12:20 pm

(please circle if present)

Committee Members: Reps. Balboni, Boehm, Hutchinson, Ladd, Fleck, St. Cyr, Brosseau, Greemore, Hill, Hood, Jones, Lauer-Rago, Pitre, Gile, Shaw, Gorman and Frazer.

Bill Sponsors: Rep. Pitre, Straf 3; Rep. Cataldo, Straf 3; Rep. Weeden, Straf 6

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

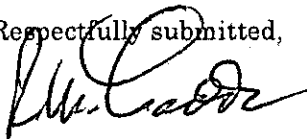
*Rep Pitre, Co-Sponsor.

- See written testimony

Dean Michener, NH School Boards Association

- His reading of bill changes nothing

Respectfully submitted,



Rick Ladd, Clerk

HOUSE COMMITTEE ON EDUCATION

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Bill Sponsors: Rep. Pitre, Straf 3; Rep. Cataldo, Straf 3; Rep. Weeden, Straf 6

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

① Rep Joseph Pitre - ^{written} testimony

② DEAN Michner - NH School Board
- his reading of bill changes nothing.

- Personally I have NO IDEA what that bill does.

Testimony

HB 376

02/22/2011 at 11:30 AM LOB 207

HB 376 – AS INTRODUCED

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HOUSE BILL 376

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COMMITTEE: Education

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1 School Administrative Units; Representation. Amend RSA 194-C:7 to read as follows:

HB 376

194-C:7 Representation. Every school district maintaining one or more public schools shall be entitled to 3 votes on the joint board of school administrative units~~, plus additional votes as provided in RSA 194-C:8~~. Districts not maintaining schools shall have one representative on the joint board, who shall be entitled to one vote. Each school district board member present shall be entitled to have a proportionate share of the school district's votes provided that the total votes per district shall be equally divided among the district's board members present and cast as each member present decides on any issue.

2 School Administrative Units; Weighted Voting. Amend RSA 194-C:8 to read as follows:

194-C:8 Weighted Voting. In all votes regarding school administrative unit affairs, including the organization of such unit's school board and selection of officers, each district shall be entitled to one vote for each 16 pupils residing in that district and enrolled in schools under the administrative unit. ~~[A balance of 8]~~ **Eight** or more students shall entitle that district to an additional vote. ~~[A balance of]~~ Fewer than 8 students shall have no net effect on a district's vote. ***Districts not maintaining schools shall have one representative on the joint board who shall be entitled to one vote, and such representative shall be entitled to weighted voting under this section.*** Enrollments shall be based on the average daily membership in residence of each district for the school year which ended in the preceding June. Weighted votes shall only be used upon the demand of a majority of the members of any board present and voting in the school administrative unit. The school board members present at a school administrative unit school board meeting shall be entitled to cast the entire number of votes assigned to their school districts, provided that each representative present shall be entitled to a proportionate share of the total to be cast as provided in RSA 194-C:7.

3 Effective Date. This act shall take effect 60 days after its passage.

HB 376, relative to representative voting on joint boards of school administrative units (SAU) as currently written has allowed some School Administrative Units to disenfranchise voters in their school districts. RSA 194-C:7, representation has been linked to 194-C:8, weighted representation, confusing the issue. The issue of voters being fairly represented is at the crux of this change and separation is quite important in administration and budgetary factors.

An example, I have witnessed is in SAU # 61 representing Farmington and Middleton. Prior to 1986 Farmington and Middleton were part of SAU # 44 and the voters of Farmington were unhappy with the small effect and control of the situation. The Farmington School District voters passed a warrant article to petition the Department of Education (DOE) and then became their own SAU in 1986. Middleton was placed in SAU # 64 with Wakefield and Milton at their request to pursue a cooperative high school. The agreement could not be inked and the Middleton School District petitioned the DOE to be part of SAU # 61 with the Farmington School District and was granted the request beginning in 1990.

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The Farmington School Board of three became the board of five, the current number. Middleton School Board of three also increased to a board of five. In 2008, I was elected to the Farmington School Board and thus became one of ten on the SAU # 61 Board. How could this be when RSA 194-C:7 allows Middleton School District, one representative and one vote (they have no schools) and the Farmington School District gets 3 votes or .6 votes if five members attend the SAU meeting. The formula for the operating budget etc was borne by the Farmington School District 86% and Middleton School District 14%. The Middleton School District was 270 students of the 1450 total population of the school. This had a disproportionate effect on the hiring and firing of personnel at this SAU.

I have researched other districts and found many different variations. Some SAU'S have 25 members and tuition some students in without sending districts being represented.

Many districts ignore RSA 194-C:7 and maybe the voters are unaware of the problem. There is a trend of gaining local control of taxpayer dollars given to autonomous SAU'S. Recently, Hampton Winchester, Hinsdale and Monadnock have petitioned to be their own SAU.

This bill clearly separates the issues between how a school district is represented by RSA 194-C:7 and weighted voting as described in RSA 194-C:8.

JOE PITRE

From: "Michelle Langa" <mlanga@sau61.org>
To: "JOE PITRE" <jpitre@verizon.net>
Sent: Tuesday, July 22, 2008 11:47 AM
Subject: FW: Weighted Voting
Joe,

Here is the question I asked of our attorney and his answer.

Michelle

From: Peter C. Phillips [mailto:phillips@soulefirm.com]
Sent: Monday, July 14, 2008 11:35 AM
To: 'Michelle Langa'
Subject: RE: Weighted Voting

Hi Michelle:

You are correct in concluding that if the SAU board adhered strictly to the wording of RSA 194-C:7 and RSA 194-C:8, the Farmington School Board would have more votes than the Middleton School Board on SAU business. However, if under the current practice the Farmington School Board elects to afford the Middleton Board with more votes than it is technically entitled to under the law, there is no prohibition in its doing so. We view the entitlement to its representative share of votes under RSA 194-C:7 and RSA 194-C:8 to be at the Farmington School Board's option. If the current arrangement for conducting SAU business has been working to the satisfaction of the Farmington School Board, there is no requirement that it be changed at this time.

Of course, under the provisions of RSA 194-C:8, a majority of the Farmington Board can vote at any time to institute weighted voting, which would result in its having more votes than the Middleton Board. It can also vote at any time to institute its representative share under RSA 194-C:7, which would have the same effect.

If the Board has any further questions or concerns regarding this matter, please do not hesitate to contact me.

Best regards,

Peter

Peter C. Phillips, Esquire
Soule, Leslie, Kidder, Sayward & Loughman, PLLC
220 Main Street
Salem, New Hampshire 03079
Phone: (603) 898-9776
Fax: (603) 898-3418
phillips@soulefirm.com

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From: Michelle Langa [mailto:mlanga@sau61.org]

JOE PITRE

From: "Barrett Christina" <bchristina@nhsba.org>
To: <jpitre@verizon.net>
Sent: Monday, July 07, 2008 12:15 PM
Subject: RSA 194-C:7 and C:8

Dear Mr. Pitre,

You asked me to provide you and your school board with information regarding how the SAU #61 School Board is represented and how the provisions of RSA 194-C:8, Weighted Voting, would apply to your SAU.

RSA 194-C:7, Representation, states: ³Every school district maintaining one or more public schools shall be entitled to 3 votes on the joint board of school administrative units, plus additional votes as provided in RSA 194-C:8. Districts not maintaining schools shall have one representative on the joint board, who shall be entitled to one vote. Each school district board member present shall be entitled to have a proportionate share of the school district's votes provided that the total votes per district shall be equally divided among the district's board members present and cast as each member present decides on any issue.²

It is my understanding that both the Farmington and Middleton school boards each have five members. It is also my understanding, that the Middleton School District does not maintain any schools. Thus, Farmington would have three votes on the joint board while Middleton would have one vote on the joint board. Also, per RSA 194-C:7 Farmington's three votes would be divided equally among it's five members, giving each member three-fifth's of one vote. Related, because the statute states ³Districts not maintaining schools shall have one representative on the joint board² it is my interpretation that Middleton should have a single representative on the joint board and that representative has a single vote.

You also asked about RSA 194-C:8, Weighted Voting. This statute states: ³In all votes regarding school administrative unit affairs, including the organization of such unit's school board and selection of officers, each district shall be entitled to one vote for each 16 pupils residing in that district and enrolled in schools under the administrative unit. A balance of 8 or more students shall entitle that district to an additional vote. A balance of fewer than 8 students shall have no net effect on a district's vote. Enrollments shall be based on the average daily membership in residence of each district for the school year which ended in the preceding June. Weighted votes shall only be used upon the demand of a majority of the members of any board present and voting in the school administrative unit. The school board members present at a school administrative unit school board meeting shall be entitled to cast the entire number of votes assigned to their school districts, provided that each representative present shall be entitled to a proportionate share of the total to be cast as provided in RSA 194-C:7.²

To determine the number of votes per school district using the weighted

voting method, one needs to first ascertain the Average Daily Membership in Residence for each district. According to the New Hampshire Department of Education's data as of April 4, 2008, the ADM-R for Farmington was 1121.75 students. For Middleton, the ADM-R was 283.23. Dividing these numbers by 16 provides for 70 weighted votes plus 3 for Farmington for a total of 73 votes; and for Middleton, 18 weighted votes plus 1 for a total of 19 votes.

To use the weighted vote process, the majority of any board present, either the Farmington or Middleton board, can make a motion to use this method. If the motion is seconded and passes, the vote on that particular issue or agenda item will be done using the weighted voting method.

Also pertinent is the provision of RSA 194-C:8 that states ³The school board members present at a school administrative unit shall be entitled to cast the entire number of votes assigned to their school districts, provided that each representative shall be entitled to a proportional share of the total to be cast as provided in RSA 194-C:7.²

Thus, if a Farmington school board member was absent at a joint meeting, the Farmington board still retains its entire 73 votes. However, those votes would be divided by four members, rather than five members, with each member casting his/her proportional share.

I hope this information clarifies your questions.

Last, please note that this e-mail is intended to be used for informational purposes only and represents only my interpretation and explanation of these statutes. If you or your board have fact or issue-specific questions relative to the use of weighted voting, I advise you to contact either your local school board's or the joint board's own attorney. Likewise, this information is not intended to be used for the benefit or detriment of either the Farmington or Middleton School Boards. Since both school boards are members of NHSBA, NHSBA has a practice not to provide legal advice or information that could be to the detriment of one of our members. Thank you for your understanding.

Thank you again.

Barrett M. Christina, Staff Attorney
New Hampshire School Boards Association
25 Triangle Park Drive
Suite 101
Concord, NH 03301
(603) 228-2061
(603) 228-2351 (fax)
bchristina@nhsba.org

Disclaimer: NHSBA provides legal education and information as a general service to NHSBA members. The information provided here does not establish an attorney client relationship. Additionally, the information provided

should not be interpreted or used as a substitute for a legal opinion from a school attorney. Before making legal decisions, school boards and administrators should consult with their attorney or other qualified counsel.

JOE PITRE

From: "Browning, Sarah" <SBrowning@ed.state.nh.us>
To: <jpitre@verizon.net>; "Tollefsen, Maurya" <Maurya.Tollefsen@nh.gov>; "Butler, Patricia" <PButler@ed.state.nh.us>
Cc: "SAU 61" <mlanga@sau61.com>
Sent: Tuesday, August 19, 2008 4:33 PM
Subject: FW: Cooperative School Districts

Dear Mr. Pitre:

It was nice to talk to you again.

As I understand it, your issue is that Middleton and Farmington both have five members on their school boards and all members of both boards sit, as members of the SAU board, which you do not believe is fair because Farmington pays about 80% of the SAU budget. You also believe this practice is in violation of RSA 194-C:7.

As I have explained in the past, the department can not provide you with legal advice. You will have to consult your school district attorney if you wish to act as a school board member or some other attorney in private practice if you wish to act as an individual.

While I am not aware of all the facts, I should tell you that while I understand your concern with the situation, as you have explained it, the budget issue and the membership of the board are not directly related. The law requires that all SAU budgets be apportioned to the member districts using the same formula. The formula is that 50% is apportioned based on average daily membership in residence (ADM-R), and the other 50% of the cost is apportioned based on the equalized value in the district. [SEE: RSA 194-c:9] During our telephone conversation, we used the SAU 61 numbers that you provided; it resulted in Farmington being liable for about 72% based on equalized value, and about 80% based on ADM-R. So Farmington's budget liability is driven by the statutory formula and the specific numbers, as they relate to Farmington and Middleton.

The number of members on the SAU board does not necessarily mean that the provisions of RSA 194-C:7 are not being met. The statute you refer to talks about the number of votes a school district is entitled to cast in a matter before the SAU board. In the case of SAU 61, there are two school districts, Middleton and Farmington. Middleton does not maintain any schools and Farmington maintains one or more schools; the statute provides that Middleton may cast one vote and Farmington may cast three. If each board has five members; the vote of each of the members from Middleton would be counted as 1/5, while the vote of each member from Farmington would be counted as 3/5.

I hope this information is helpful.

Sincerely,

Sarah L. Browning
Special Assistant to the Commissioner
New Hampshire Department of Education
101 Pleasant Street
Concord, New Hampshire 03301

(603) 271-3879

sbrowning@ed.state.nh.us

-----Original Message-----

From: Tollefsen, Maurya [mailto:Maurya.Tollefsen@nh.gov]
Sent: Thursday, August 14, 2008 4:06 PM
To: Browning, Sarah; Butler, Patricia
Subject: RE: Cooperative School Districts

Thank you for all your help!

-----Original Message-----

From: Browning, Sarah [mailto:SBrowning@ed.state.nh.us]
Sent: Thursday, August 14, 2008 4:03 PM
To: Butler, Patricia
Cc: Tollefsen, Maurya
Subject: RE: Cooperative School Districts

Maurya / Pat:

I have called Mr. Pitre. I got an answering machine. I identified myself as being from the department of education and calling at the request of the Governor's office. I stated that I was calling to answer some questions regarding cooperative school districts. I left my name and telephone number.

If Mr. Pitre returns my call, I will provide you with an update of the conversation; otherwise I will presume that he found the answer to his question.

Please let me know if I can be of further assistance.

Sarah L. Browning
Spécial Assistant to the Commissioner
New Hampshire Department of Education
101 Pleasant Street
Concord, New Hampshire 03301

(603) 271-3879

sbrowning@ed.state.nh.us

-----Original Message-----

From: Butler, Patricia
Sent: Thursday, August 14, 2008 1:01 PM
To: Browning, Sarah
Subject: FW: Cooperative School Districts

Hi Sarah. Can you give Mr. Pitre a call? Thanks.

Patricia Butler
Administrative Assistant
State Department of Education
101 Pleasant Street
Concord NH 03301

603-271-3144
603-271-3830 (Fax)

-----Original Message-----

From: Tollefsen, Maurya [mailto:Maurya.Tollefsen@nh.gov]
Sent: Thursday, August 14, 2008 11:24 AM
To: Butler, Patricia
Subject: RE: Cooperative School Districts

Great. Thank you!

His name is Joe Pitre and his number is 755-2447.

Thanks again.

Maurya

-----Original Message-----

From: Butler, Patricia [mailto:PButler@ed.state.nh.us]
Sent: Thursday, August 14, 2008 11:20 AM
To: Tollefsen, Maurya
Subject: RE: Cooperative School Districts

Yes, me and I'll forward it to Sarah Browning.

Patricia Butler
Administrative Assistant
State Department of Education
101 Pleasant Street
Concord NH 03301
603-271-3144
603-271-3830 (Fax)

-----Original Message-----

From: Tollefsen, Maurya [mailto:Maurya.Tollefsen@nh.gov]
Sent: Thursday, August 14, 2008 11:19 AM
To: Butler, Patricia
Subject: Cooperative School Districts

Hello Patricia,

Do you know who I could recommend a constituent contact in regard to cooperative school districts?

Thank you.

Best,

Maurya
Special Assistant for Citizen Services
Office of Governor John Lynch
107 North Main Street
Concord, NH 03301

P: 603.271.2121
F: 603.271.7640
maurya.tollefsen@nh.gov

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JOE PITRE

From: "Michelle Langa" <mlanga@sau61.org>
To: "JOE PITRE" <jpitre@verizon.net>
Sent: Tuesday, June 10, 2008 1:11 PM
Subject: Weighted Voting
Joe,

According to 194-C:7, any district that does not maintain a public school, such as Middleton, is only entitled to one vote on the SAU Board. According to 194-C:8, additional votes for the districts are weighted based on every 16 students residing in the district. Given that Middleton has approximately 275 students, the district would be entitled to 17 additional votes. Farmington maintains a public school and therefore is entitled to 3 votes on the SAU Board. It is also entitled, based on its 1200 students, to an additional 75 votes.

For your information, weighted voting can only be used by a determination of the majority of any board member present and voting in the SAU.

The State Board Hearing is at 10:30 in Londergan Hall, 101 Pleasant Street in Concord. See you there.

Michelle

a district's vote. Enrollments shall be based on the average daily membership in residence of each district for the school year which ended in the preceding June. Weighted votes shall only be used upon the demand of a majority of the members of any board present and voting in the school administrative unit. The school board members present at a school administrative unit school board meeting shall be entitled to cast the entire number of votes assigned to their school districts, provided that each representative present shall be entitled to a proportionate share of the total to be cast as provided in RSA 194-C:7.

Source. 1996, 298:3, eff. Aug. 9, 1996.

In Farmington, Middleton, Milton and Wakefield access to school budget improves, but power to change remains limited

By JOHN QUINN
jqinn@fosters.com
Tuesday, March 30, 2010

FARMINGTON — Area residents will now be able to delve deeper into the school administrative unit budget, but their counterparts in adjacent communities learned last year that they're still limited to making recommendations and only being able to vote on the bottom line.

On March 9, Farmington and Middleton residents approved — 284-220 and 150-67 respectively — two petition articles to adopt the provisions of RSA 194-C: 9-b and have the two towns vote on SAU 61's budget in a separate warrant article than the school district's operating budget.

In 2009, Milton and Wakefield agreed — 437-370 and 413-236 respectively — to do the same with SAU 64's budget.

According to state law, it is the aggregate vote of the two towns that decides if the SAU budget passes. Business Administrator Toby Eaton of SAU 64 points out that one town could conceivably vote down an SAU budget but if the yes votes from the second community are sufficient to give a majority, it passes. If the aggregate no votes are in the majority, the SAU will revert to a default budget.

SAU 61 oversees Farmington and Middleton students while SAU 64 supervises Milton and Wakefield students. All four school districts follow the Senate Bill 2 format, which has residents discussing issues at a deliberative session a month before voting on them in March.

Middleton Budget Committee Chair Alan Caplette said it is unclear how the process will be conducted next year, but officials would be discussing the matter during the next meeting, scheduled for April 3, at 6:30 p.m. in the municipal offices on King's Highway.

"I'm not expecting any problems," Caplette said, adding he looks forward to working with counterparts in Farmington.

Caplette said he expects the Budget Committee — either separately or in a joint board — to find ways to be more efficient with taxpayer's money.

Farmington and Middleton school boards jointly approved a 3.8 percent increase to the SAU 61 budget, which rose from \$918,579 to \$953,574 this year.

Farmington's portion increased by 4.7 percent to \$829,640 while Middleton's portion dropped by 1.7 percent to \$123,934.

On March 9, residents in both communities agreed to increase the school district's operating budget — by 3.4 percent to \$17,352,316 in Farmington and 3 percent to \$3,282,108 in Middleton.

"A second set of eyes is always a good thing," Caplette said, adding it would be a good idea to talk to budget committee members from Milton and Wakefield — who reviewed SAU 64's budget for the 2010-11 school year.

Milton Selectman Chair Bob Srnec — who chaired the budget committee last year — said there was no trouble working with his counterparts in Wakefield, but he was frustrated that they couldn't make more impact to the SAU budget.

"The whole reason behind it was to get some control over that budget and it failed," Srnec said. "The better thing to do is get after the school board and get them to cut back."

Srnec said residents could only vote yes or no on the budget, but the SAU proposed both the operating budget and the default budget. He added it's up to the state to make changes to the system, but more towns would need to get involved.

"It might get better, but it doesn't give any control to the towns," Srnec said, adding the biggest advantage is the separation allowed residents to see the real cost of running the schools.

Milton and Wakefield residents approved \$814,797 for SAU 64's budget — which included \$455,104 from Wakefield and \$359,693 from Milton. The total SAU budget rose by \$15,610 — or about 2 percent — from last year's figure of \$799,187. The local portions rose by \$7,527 in Wakefield and \$8,082 in Milton.

If defeated, the SAU's default budget would be \$814,327, which was 1.9 percent larger than last year's SAU budget. Wakefield's portion would be \$454,842, while Milton would have to pay \$359,485.

As a result of the separation, Milton's School District Operating Budget dropped 4.6 percent to \$8,683,900 and Wakefield's decreased by 6.3 percent to \$8,369,466. Both budget proposals were approved at the polls March 9.

"You're not taking anything away from the kids," Srnec said, adding since being re-elected as selectman in March, he can only serve as the board's representative to the budget committee.

"I need to know what's happening in the town and school — they're intertwined," Srnec said.

Wakefield Budget Committee Chair Howie Knight said the measure provided the board with more of the details they wanted, but there were still limitations to what could be done to reduce expenditures.

"By state law, we can't change line items like the other budgets," Knight said, adding it worked since SAU 64 officials were very accommodating to suggestions from the budget committees.

"The administration stepped right up to the plate," Knight said, adding Superintendent Gail Kushner and her staff were very accommodating.

SAU and district officials understood that the budget committee's recommendation for or against the proposed budget would sway voters — who could always vote the "bottom-line" budget down at the polls, Knight said.

Knight said he and Srnec agreed at the start of the budget process to review the SAU's proposal separately to allow the two committees to focus on sections applicable to their community.

"We have two different budget committees with two different views," Knight said, later adding "we're on the same page where we want to go — not that we agree on everything."

Knight said it gave town officials a chance to review the "bottom-line" SAU budget individually and in greater detail than ever before.

"That's exactly why we wanted to separate it," Knight said.

Langa said she has no comment on the matter — other than to say she has not spoken to officials at SAU 64, who could not be reached for comment.

Sent: Tuesday, July 08, 2008 1:40 PM
To: 'Peter C. Phillips'
Subject: Weighted Voting

Hi Peter,

Any news yet on the court's decision? We all have our fingers crossed. Please let me know as soon as you hear anything as we are still planning on holding the public hearing on July 16 and 17th if necessary.

On another matter, at last evening's Farmington Board meeting, Mr. Pitre raised the issue of representation and weighted voting on our SAU Board. He is citing RSA 194-C:7 and 194-C:8 as evidence that Farmington should "control", his word, the SAU board. If I understand the statutes correctly and we adhere strictly to the statutes' wording, Farmington is entitled to five representatives who share three votes and Middleton is entitled to one representative who has one vote.

This is quite different from what has been occurring. For a few years now, Farmington and Middleton have enjoyed a relatively peaceful co-existence with all matters before the SAU Board being decided by a simple majority. All ten members of both Boards have been in attendance and voting. My question to you is where does past practice come into play here? Are we required to operate using this formula for representation and voting? I believe the statute offers us one way around this weighted voting issue in that it states that "Weighted votes shall only be used upon the demand of a majority of the members of any board present and voting in the school administrative unit." Do you see an alternative for us with the issue of representation? Several members of the Farmington Board expressed concern that Mr. Pitre's raising this issue will upset the delicate harmony that we have been able to achieve over the last few years. Any advice you could lend us would be appreciated.

Thanks,

Michelle Langa

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 376

BILL TITLE: relative to representative voting on joint boards of school administrative units.

DATE: 3/3/11

LOB ROOM: 207

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Pitre

Seconded by Rep. Greemore

Vote: 14-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 14-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Rick Ladd, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 376

BILL TITLE: relative to representative voting on joint boards of school administrative units.

DATE: 3/3/2011

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Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Petro*

Seconded by Rep. *Greene*

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

14-0

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rick Ladd
Rep. Rick Ladd, Clerk

EDUCATION

Bill #: 376 Title: SAU'S

PH Date: 2/22/11

Exec Session Date: 3/3/2011

Motion: III

Amendment #: _____

MEMBER	YEAS	NAYS
Balboni, Michael A, Chairman	✓	
Boehm, Ralph G, V Chairman	✓	
Hutchinson, Karen K	ab	
Ladd, Rick M	✓	
Fleck, Joseph W	✓	
St. Cyr, Jeffrey L	✓	
Brosseau, Charles J	ab	
Greemore, Robert H	✓	
Hill, Gregory	✓	
Hoell, J.R.	ab	
Jones, Laura M	✓	
Lauer-Rago, Kathleen A	✓	
Pitre, Joseph A	✓	
Gile, Mary Stuart	✓	
Shaw, Barbara E	✓	
Gorman, Mary J	✓	
Frazer, June M	✓	
	14	0
TOTAL VOTE:		
Printed: 1/4/2011		

Committee Report

CONSENT CALENDAR

March 8, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on EDUCATION to which was referred
HB376,**

**AN ACT relative to representative voting on joint
boards of school administrative units. Having
considered the same, report the same with the following
Resolution: RESOLVED, That it is INEXPEDIENT TO
LEGISLATE.**

Rep. Laura M Jones

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	EDUCATION
Bill Number:	HB376
Title:	relative to representative voting on joint boards of school administrative units.
Date:	March 8, 2011
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The committee determined that this bill is not needed since statute (RSA 194-C:7 and 194-C:8) already deals with representative voting on joint boards of school administrative units.

Vote 14-0.

Rep. Laura M Jones
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EDUCATION

HB376, relative to representative voting on joint boards of school administrative units.

INEXPEDIENT TO LEGISLATE.

Rep. Laura M Jones for EDUCATION. The committee determined that this bill is not needed since statute (RSA 194-C:7 and 194-C:8) already deals with representative voting on joint boards of school administrative units. **Vote 14-0.**

Original: House Clerk
Cc: Committee Bill File

HB 376

The committee determined that this bill is not needed since statute (RSA 194-C:7 and 194-C:8) already deals with representative voting on joint boards of school administrative units.

ITL - 14-0

Michael A. Ballou

COMMITTEE REPORT

COMMITTEE: Education

BILL NUMBER: HB 376

TITLE: relative to representative voting on joint boards of school administrative units.

DATE: 3-3-11 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

The committee determined that this bill
 is not needed since statute ^(RSA 194-C:7 & 194-C:8) already deals
 with ~~this issue~~ representative voting on
 joint boards of school administrative units.

COMMITTEE VOTE: 14-0

- | |
|---|
| <ul style="list-style-type: none"> • Copy to Committee Bill File • Use Another Report for Minority Report |
|---|

RESPECTFULLY SUBMITTED,

Rep. Laura Jones
 For the Committee