

Bill as Introduced

HB 604 - AS INTRODUCED

2011 SESSION

11-0830

04/03

HOUSE BILL **604**

AN ACT relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

SPONSORS: Rep. Ladd, Graf 5; Rep. Jasper, Hills 27; Rep. Boehm, Hills 27; Sen. Stiles, Dist 24

COMMITTEE: Education

ANALYSIS

This bill requires the commissioner of the department of education to prioritize school building proposals according to the type of construction or renovation proposed.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the procedures for approval of plans, specifications, and costs of school building construction or renovation.

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

1 1 School Building Aid; Approval of Plans, Specifications, and Costs. Amend RSA 198:15-c to
2 read as follows:

3 198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

4 **I.** A school district maintaining approved schools, desiring to avail itself of the grants herein
5 provided shall have the plans, specifications, and cost estimates for school plant construction or
6 proposals for the purchase of school buildings, or both, and the costs for them approved by the state
7 board prior to the start of construction. For this purpose the district shall submit its plans,
8 specifications, cost, and purchase estimates in writing to the department of education on such forms
9 as the department prescribes. A school district shall also submit a copy of any application for energy
10 efficiency reimbursement under RSA 374-F. The department of education shall coordinate with the
11 public utilities commission to ensure that eligible school districts have submitted applications for
12 funding reimbursement and technical assistance as available from energy utility companies to
13 promote indoor air quality and energy efficiency in public schools. Application for school building aid
14 shall be submitted before January 1 of each year in order to be eligible for school building aid in the
15 fiscal year following the year of submittal.

16 **II.(a)** *Each fiscal year, the commissioner of the department of education shall*
17 *develop a list of all school building proposals submitted by school districts and shall*
18 *categorize each proposal based on the following criteria in descending order of priority:*

19 (1) **Priority 1:** *Health, safety, or compliance issues including roof upgrades,*
20 *improvements to indoor air quality, compliance with the Americans with Disabilities Act,*
21 *asbestos mitigation, and other similar issues.*

22 (2) **Priority 2:** *Repairs and improvements not related to health, safety, or*
23 *compliance, including repairs and improvements to school building structures, windows,*
24 *doors, or water supply or waste disposal systems.*

25 (3) **Priority 3:** *Upgrades of learning spaces and minor capital*
26 *improvements.*

27 (b) *The commissioner shall recommend those proposals to be funded to the state*
28 *board of education for approval. Those proposals not approved shall be assigned the*
29 *highest priority in the next fiscal year.*

1 **III.** The department of education shall not approve the plans, specifications, cost, or
2 purchase estimates, if in the department's judgment the facilities planned will not adequately meet
3 the educational requirements, or if its cost estimates are excessive or unreasonable. The department
4 of education shall not approve the plans, specifications, cost, or purchase estimates if in the
5 department's judgment the proposed construction or purchase is in conflict with effective statewide
6 planning pursuant to RSA 9-A or the principles of smart growth pursuant to RSA 9-B. *The*
7 *department of education shall not approve the plans, specifications, cost, or purchase*
8 *estimates if, in the department's judgment, the school district has failed to comply with the*
9 *school district facility maintenance plan, unless good cause is shown for the*
10 *noncompliance in which case the department may approve the school district's request.*
11 Necessary costs of the purchase of school buildings may be determined by any recognized method of
12 real estate appraisal with appropriate adjustments for remodeling or other expenditures. Upon
13 approval of the construction or purchase, or both, by the department of education, the school district
14 shall be entitled to receive an annual grant as provided herein.

15 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments



"Not Adopted"

Amendment to HB 604

1 1 School Building Aid; Approval of Plans, Specifications, and Costs. Amend RSA 198:15-c to
2 read as follows:

3 198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

4 I. A school district maintaining approved schools, desiring to avail itself of the grants herein
5 provided shall have the plans, specifications, and cost estimates for school plant construction or
6 proposals for the purchase of school buildings, or both, and the costs for them approved by the state
7 board prior to the start of construction. For this purpose the district shall submit its plans,
8 specifications, cost, and purchase estimates in writing to the department of education ***no later than***
9 ***December 1 of the fiscal year prior to the fiscal year in which the first grant payment is to***
10 ***be made*** on such forms as the department prescribes. A school district shall also submit a copy of
11 any application for energy efficiency reimbursement under RSA 374-F. The department of education
12 shall coordinate with the public utilities commission to ensure that eligible school districts have
13 submitted applications for funding reimbursement and technical assistance as available from energy
14 utility companies to promote indoor air quality and energy efficiency in public schools. [Application
15 for school building aid shall be submitted before January 1 of each year in order to be eligible for
16 school building aid in the fiscal year following the year of submittal.]

17 II.(a) ***The commissioner shall accept school building aid applications based upon***
18 ***completeness and submit a preliminary school building aid list to the school building***
19 ***authority established pursuant to RSA 195-C. By March 1 of each fiscal year, the school***
20 ***building authority shall develop a rank ordered list of all school building construction***
21 ***and renovation aid proposals submitted by school districts and shall categorize each***
22 ***proposal based on school building and site criteria in descending order. The project***
23 ***rating system and criteria used to rate project applications shall be developed by the***
24 ***department of education and be approved by the state board of education no later than***
25 ***November 1, 2013.***

26 (b) ***A ranking system in support of primary categories criteria shall include***
27 ***consideration of unsafe conditions; obsolete, inefficient, or unsuitable facilities or***
28 ***mechanical and building systems; overcrowding and associated influences to instructional***
29 ***areas and programming; enrollment projections and population shifts; and other***
30 ***conditions as determined necessary.***

31 (c) ***The school building authority shall recommend prioritized proposals to be***
32 ***funded in descending rank order to the state board of education for approval. Those***



1 *proposals not approved and funded shall be considered for funding in the next biennial*
2 *budget. Available resources will determine the number of designated projects to be funded*
3 *during any one funding cycle.*

4 *(d) Emergency requests shall be dealt with on a case-by-case basis as deemed*
5 *appropriate by the state board of education.*

6 *III.* The department of education shall not approve the plans, specifications, cost, or
7 purchase estimates, if in the department's judgment the facilities planned will not adequately meet
8 the educational requirements, or if its cost estimates are excessive or unreasonable. The department
9 of education shall not approve the plans, specifications, cost, or purchase estimates if in the
10 department's judgment the proposed construction or purchase is in conflict with effective statewide
11 planning pursuant to RSA 9-A or the principles of smart growth pursuant to RSA 9-B. Necessary
12 costs of the purchase of school buildings may be determined by any recognized method of real estate
13 appraisal with appropriate adjustments for remodeling or other expenditures. Upon approval of the
14 construction or purchase, or both, by the department of education, the school district shall be entitled
15 to receive an annual grant as provided herein.

16 2 School Building Aid; Proration and Unexpended Funds. Amend RSA 198:15-e to read as
17 follows:

18 198:15-e Proration and Unexpended Funds. [H] In any *fiscal* year, the amount appropriated for
19 distribution as school building grants in accordance with RSA 198:15-b *shall first be awarded to a*
20 *school district for an eligible project approved in a prior fiscal year. If the amount*
21 *appropriated* is insufficient [~~therefor, grants for eligible construction work approved by the~~
22 ~~legislative body of the school district since the approval of the most recent state biennial budget shall~~
23 ~~be deferred and included in a request for a future appropriation, or partial grants may be made to~~
24 ~~the extent of the available appropriation. Any partial grant made shall be prorated proportionally~~
25 ~~among all districts with eligible construction work approved since the approval of the most recent~~
26 ~~biennial budget. The department of education shall include any unpaid grant amounts in the next~~
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28 ~~after deducting all grants approved since the approval of the most recent biennial budget,] the
29 appropriation shall be prorated proportionally among the districts entitled to a grant. *If the*
30 *amount appropriated exceeds the amount necessary to fully fund grants to a school district*
31 *for eligible construction in a previous year, the remaining amount of the appropriation*
32 *shall be awarded to a school district for an eligible new proposal in the ranked order*
33 *developed pursuant to RSA 198:15-c, 11(a). Such a district shall receive a grant equal to*
34 *100 percent of the eligible amount of the request until the amount appropriated has been*
35 *exhausted. A partial grant may be awarded to the extent that funds are available. If a*
36 *school district declines a full or partial grant, a grant shall be made to the next ranked*
37 *school district until the amount appropriated has been exhausted.* Any amounts not~~

Amendment to HB 604

- Page 3 -



- 1 distributed in the first year of any biennium may be distributed in the second year if required to
- 2 distribute the maximum amount permissible under RSA 198:15-a.
- 3 3 Effective Date. This act shall take effect July 1, 2012.

Rep. Ladd, Graf. 5
Rep. Pitre, Straf. 3
Rep. Shaw, Hills. 16
October 12, 2011
2011-2722h
04/09



Amendment to HB 604

Not Adopted

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 School Building Aid; Approval of Plans, Specifications, and Costs. Amend RSA 198:15-c to
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5 198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

6 *I. A school district maintaining approved schools, desiring to avail itself of the grants herein*
7 *provided shall have the plans, specifications, and cost estimates for school plant construction or*
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9 *board prior to the start of construction. For this purpose the district shall submit its plans,*
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14 *shall coordinate with the public utilities commission to ensure that eligible school districts have*
15 *submitted applications for funding reimbursement and technical assistance as available from energy*
16 *utility companies to promote indoor air quality and energy efficiency in public schools. [Application*
17 *for school building aid shall be submitted before January 1 of each year in order to be eligible for*
18 *school building aid in the fiscal year following the year of submittal.]*

19 *II.(a) The commissioner shall accept school building aid applications based upon*
20 *completeness and submit a preliminary school building aid list to the school building*
21 *authority established pursuant to RSA 195-C. By March 1 of each fiscal year, the school*
22 *building authority shall develop a rank ordered list of all school building construction*
23 *and renovation aid proposals submitted by school districts and shall categorize each*
24 *proposal based on school building and site criteria in descending order. The project*
25 *rating system and criteria used to rate project applications shall be developed by the*
26 *department of education and be approved by the state board of education **no later than***
27 ***November 1, 2013.** All rules necessary to implement this section shall be adopted pursuant*
28 *to RSA 541-A.*

29 *(b) A ranking system in support of primary categories criteria shall include*
30 *consideration of unsafe conditions; obsolete, inefficient, or unsuitable facilities or*



1 *mechanical and building systems; overcrowding and associated influences to instructional*
2 *areas and programming; enrollment projections and population shifts; and other*
3 *conditions as determined necessary. The ranking system shall also include criteria to*
4 *determine if a school district has made a reasonable attempt to accommodate maintenance*
5 *activities including scheduled and unscheduled repairs, upkeep, minor alterations,*
6 *enhancements to buildings, and preventative maintenance necessary to achieve the design*
7 *life expectancy of building systems and components.*

8 (c) *The school building authority shall recommend prioritized proposals to be*
9 *funded in descending rank order to the state board of education for approval. Those*
10 *proposals not approved and funded shall be considered for funding in the next biennial*
11 *budget. Available resources will determine the number of designated projects to be funded*
12 *during any one funding cycle.*

13 (d) *Emergency requests shall be dealt with on a case-by-case basis as deemed*
14 *appropriate by the state board of education.*

15 III. The department of education shall not approve the plans, specifications, cost, or
16 purchase estimates, if in the department's judgment the facilities planned will not adequately meet
17 the educational requirements, or if its cost estimates are excessive or unreasonable. The department
18 of education shall not approve the plans, specifications, cost, or purchase estimates if in the
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8 *school district declines a full or partial grant, a grant shall be made to the next ranked*
9 *school district until the amount appropriated has been exhausted.* Any amounts not
10 distributed in the first year of any biennium may be distributed in the second year if required to
11 distribute the maximum amount permissible under RSA 198:15-a.

12 3 Effective Date. This act shall take effect July 1, 2012.

Rep. Ladd, Graf. 5
Rep. Pitre, Straf. 3
Rep. Shaw, Hills. 16
October 24, 2011
2011-2778h
04/05

Amendment to HB 604

1 Amend the bill by replacing all after the enacting clause with the following:

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28 *amount to be funded by January 15.*

29 *(b) The project rating system and criteria used to rate project applications,*
30 *which shall include an administrative review process for appeal of a school district's*

1 *project point rating, shall be developed by the department of education and be approved by*
2 *the state board of education no later than November 1, 2013. All rules necessary to*
3 *implement this section shall be adopted pursuant to RSA 541-A.*

4 *(c) A ranking system in support of primary categories criteria shall include*
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16 *(e) Emergency requests shall be dealt with on a case-by-case basis as deemed*
17 *appropriate by the state board of education.*

18 *III.* The department of education shall not approve the plans, specifications, cost, or
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Amendment to HB 604

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13 distributed in the first year of any biennium may be distributed in the second year if required to
14 distribute the maximum amount permissible under RSA 198:15-a.

15 3 Effective Date. This act shall take effect July 1, 2012.

Committee Minutes

HOUSE COMMITTEE ON FINANCE

DIVISION II WORK SESSION ON HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE:

LOB ROOM: 209

Time Work Session Called to Order:

Time Adjourned:

(please circle if present)

Committee Members: Reps. Wm. Smith, Elliott, Allen, Foose, Lerandean, McGuire, Sovi and Umberger.

Bill Sponsors: Rep. Ladd, Graf 5; Rep. Jasper, Hills 27; Rep. Boehm, Hills 27; Sen. Stiles, Dist 24

TESTIMONY

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

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

Moved by Rep.

Seconded by Rep.

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

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

** H40 Committee: FINANCE - DIVISION II

<u>Emp No</u>	<u>Name</u>	<u>Div-Seat</u>	<u>Signature</u>
376426	ALLEN, MARY M	4-091	<i>WS</i> <u>Mary M. Allen</u>
376744-F	ELLIOTT, ROBERT J	4-007	<u>Robert J. Elliott</u>
376576-F	FOOSE, ROBERT A	5-001	<u>Robert A. Foose</u>
376243-F	LERANDEAU, ALFRED C	5-010	<u>Alfred Lerandean</u>
376984	MCGUIRE, DAN	1-025	<u>Dan McGuire</u>
376868-F	SMITH, WILLIAM B	1-019	<u>W B Smith</u>
376396-F	SOVA, CHARLES E	3-009	<u>Charles E. Sova</u>
376879-F	UMBERGER, KAREN C	2-063	<u>Karen C. UMBERGER</u>

Total Committee Members: 8

Present = 7 Absent = 1

HB 604 - AS AMENDED BY THE HOUSE

15Feb2012... 2778h

2011 SESSION

11-0830
04/03

HOUSE BILL

604

AN ACT

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COMMITTEE:

Education

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 36 *among all districts with eligible construction work approved since the approval of the most recent*
 37 *biennial budget. The department of education shall include any unpaid grant amounts in the next*

1 ~~biennial budget or request a supplemental appropriation. If the amount appropriated is insufficient~~
2 ~~after deducting all grants approved since the approval of the most recent biennial budget,] the~~
3 appropriation shall be prorated proportionally among the districts entitled to a grant. *If the*
4 *amount appropriated exceeds the amount necessary to fully fund grants to a school district*
5 *for eligible construction in a previous year, the remaining amount of the appropriation*
6 *shall be awarded to a school district for an eligible new proposal in the ranked order*
7 *developed pursuant to RSA 198:15-c, 11(a). Such a district shall receive a grant equal to*
8 *100 percent of the eligible amount of the request until the amount appropriated has been*
9 *exhausted. A partial grant may be awarded to the extent that funds are available. If a*
10 *school district declines a full or partial grant, a grant shall be made to the next ranked*
11 *school district until the amount appropriated has been exhausted. Any amounts not*
12 *distributed in the first year of any biennium may be distributed in the second year if required to*
13 *distribute the maximum amount permissible under RSA 198:15-a.*

14 3 Effective Date. This act shall take effect July 1, 2012.

Speakers

1

Fill in ONLY if SPEAKING on Bill

Bill # 604 Date 2-15-2011

Committee Ed

I support the bill

I oppose the bill

I have written testimony

(Number of copies)

Time needed to speak: 5-10

Name Rick Ladd

Address _____

Phone _____

Representing Concord #5

2

Fill in ONLY if SPEAKING on Bill

Bill # HB 604 Date 2/15/11

Committee Education

I support the bill

I oppose the bill

I have written testimony

(Number of copies)

Time needed to speak: 1-2 min

Name Dean Michener

Address _____

Phone 228-2061

Representing NH School Boards

Assoc

3

Fill in ONLY if SPEAKING on Bill

Bill # HB 604 Date 02/15/11

Committee _____

I support the bill

I oppose the bill

I have written testimony

(Number of copies)

Time needed to speak: 2 min

Name Judith A. Johnson

Address _____

Phone _____

Representing NHDBE

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: 2/15/11

LOB ROOM: 207 **Time Public Hearing Called to Order:** 5:30 pm

Time Adjourned: 6:00 pm

(please circle if present)

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

Bill Sponsors: Rep. Ladd, Graf 5; Rep. Jasper, Hills 27; Rep. Boehm, Hills 27; Sen. Stiles, Dist 24

TESTIMONY

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

Rep. Rick Ladd – Bill Sponsor.

- Prioritize IF we get into capping period
- “This bill needs work” – Senate Bill 178 study committee cap and prioritize
- Recommendation: Hold in committee
- HB 628, HB 604 and HB 533 are each part of this school building aid/caps/priorities

Dean Michener, NH School Board Association

- Read resolution of Association (will provide copy.)
- Doesn't like punitive comments – Line 8-9

Dr. Judith Fillion – NH Department of Education (will provide testimony)

- Concerns – “Vagueness of compliance definitions”

Respectfully submitted,



Rick Ladd, Clerk

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 604

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DATE:

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(please circle if present)

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Bill Sponsors: Rep. Ladd, Graf 5; Rep. Jasper, Hills 27; Rep. Boehm, Hills 27; Sen. Stiles, Dist 24

TESTIMONY

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

HB 604

- 1) Rep. Rick LADD -
 - Prioritize IF we get into capping period
 - "this bill needs work"
 - Senate Bill 178 study committee cap & prioritize
 - recommendation: Held in committee
 - HB 528 - HB 604 and HB 533 are each part of this school bldg aid/caps/priorities
- 2) Dean Michner - NH School Board Assoc.
 - Read resolution of Association - (will provide copy)
 - doesn't like punitive comments line 8-9.
- 3) Dr. Judith Fillion - NH DOE. (will provide testimony)
 - Concerns:
 - "Vagueness of compliance definitions"

Sub-Committee Minutes

HOUSE COMMITTEE ON EDUCATION
SUBCOMMITTEE WORK SESSION ON HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: September 27, 2011

Subcommittee Members: Reps. Ladd, Ditre, Hutchinson, and Shaw

Comments and Recommendations: The committee met and Rep. Ladd provided an overview of HB 604. Amended language in a draft amendment was presented 2011-2622h. Ed Murdough, DOE, provided input. The committee will meet on Thursday, 9/29/11 to take action on the bill and amended language.

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep.

Seconded by Rep.

Vote:

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Rick Ladd
Subcommittee Chairman Clerk

HOUSE COMMITTEE ON EDUCATION
SUBCOMMITTEE WORK SESSION ON HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: September 27, 2011

Subcommittee Members: Reps. Ladd, Pitre, Hutchinson, + Shaw

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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.

Seconded by Rep.

Vote:

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Kalraed

Subcommittee Chairman/Clerk

Draft Amendment to HB 604

1 1 School Building Aid; Approval of Plans, Specifications, and Costs. Amend RSA 198:15-c to
2 read as follows:

3 198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

4 I. A school district maintaining approved schools, desiring to avail itself of the grants herein
5 provided shall have the plans, specifications, and cost estimates for school plant construction or
6 proposals for the purchase of school buildings, or both, and the costs for them approved by the state
7 board prior to the start of construction. For this purpose the district shall submit its plans,
8 specifications, cost, and purchase estimates in writing to the department of education *no later than*
9 *December 1 of the fiscal year prior to the fiscal year in which the first grant payment is to*
10 *be made* on such forms as the department prescribes. A school district shall also submit a copy of
11 any application for energy efficiency reimbursement under RSA 374-F. The department of education
12 shall coordinate with the public utilities commission to ensure that eligible school districts have
13 submitted applications for funding reimbursement and technical assistance as available from energy
14 utility companies to promote indoor air quality and energy efficiency in public schools. [Application
15 for school building aid shall be submitted before January 1 of each year in order to be eligible for
16 school building aid in the fiscal year following the year of submittal.]

17 II.(a) *The commissioner shall accept school building aid applications based upon*
18 *completeness and submit a preliminary school building aid list to the school building*
19 *authority established pursuant to RSA 195-C. By March 1 of each fiscal year, the school*
20 *building authority shall develop a rank ordered list of all school building construction*
21 *and renovation aid proposals submitted by school districts and shall categorize each*
22 *proposal based on school building and site criteria in descending order. The project*
23 *rating system and criteria used to rate project applications shall be developed by the*
24 *department of education no later than November 1, 2013 and be approved by the state*
25 *board of education.*

26 (b) *A ranking system in support of primary categories criteria shall be*
27 ~~*established by the department of education no later than one year after the effective date of*~~
28 ~~*this section and shall*~~ *include consideration of unsafe conditions; obsolete, inefficient, or*
29 *unsuitable facilities or mechanical and building systems; overcrowding and associated*
30 *influences to instructional areas and programming; enrollment projections and*
31 *population shifts; and other conditions as determined necessary.*

32 (c) *The school building authority shall recommend prioritized proposals to be*

1 *funded in descending rank order to the state board of education for approval. Those*
2 *proposals not approved and funded shall be considered for funding in the next biennial*
3 *budget. Available resources will determine the number of designated projects to be funded*
4 *during any one funding cycle.*

5 *(d) Emergency requests shall be dealt with on a case-by-case basis as deemed*
6 *appropriate by the state board of education.*

7 *III. The department of education shall not approve the plans, specifications, cost, or*
8 *purchase estimates, if in the department's judgment the facilities planned will not adequately meet*
9 *the educational requirements, or if its cost estimates are excessive or unreasonable. The department*
10 *of education shall not approve the plans, specifications, cost, or purchase estimates if in the*
11 *department's judgment the proposed construction or purchase is in conflict with effective statewide*
12 *planning pursuant to RSA 9-A or the principles of smart growth pursuant to RSA 9-B. Necessary*
13 *costs of the purchase of school buildings may be determined by any recognized method of real estate*
14 *appraisal with appropriate adjustments for remodeling or other expenditures. Upon approval of the*
15 *construction or purchase, or both, by the department of education, the school district shall be entitled*
16 *to receive an annual grant as provided herein.*

17 *2 School Building Aid; Proration and Unexpended Funds. Amend RSA 198:15-e to read as*
18 *follows:*

19 *198:15-e Proration and Unexpended Funds. [H] In any fiscal year, the amount appropriated for*
20 *distribution as school building grants in accordance with RSA 198:15-b shall first be awarded to*
21 *school district(s) for an eligible project(s) approved in a prior fiscal year. If the amount*
22 *appropriated is insufficient (therefor,) [grants for eligible construction work approved by the*
23 *legislative body of the school district since the approval of the most recent state biennial budget shall*
24 *be deferred and included in a request for a future appropriation, or partial grants may be made to*
25 *the extent of the available appropriation. Any partial grant made shall be prorated proportionally*
26 *among all districts with eligible construction work approved since the approval of the most recent*
27 *biennial budget. The department of education shall include any unpaid grant amounts in the next*
28 *biennial budget or request a supplemental appropriation. If the amount appropriated is insufficient*
29 *after deducting all grants approved since the approval of the most recent biennial budget,] the*
30 *appropriation shall be prorated proportionally among the districts entitled to a grant. If the*
31 *amount appropriated exceeds the amount necessary to fully fund grants to a school district*
32 *for eligible construction in a previous year, the remaining amount of the appropriation*
33 *shall be awarded to a school district for an eligible new proposal in the ranked order*
34 *developed pursuant to RSA 198:15-c, II(a). Such a district shall receive a grant equal to*
35 *100 percent of the eligible amount of the request until the amount appropriated has been*
36 *exhausted. A partial grant may be awarded to the extent that funds are available. If a*
37 *school district declines a full or partial grant, a grant shall be made to the next ranked*

Draft Amendment to HB 604

- Page 3 -

- 1 *school district until the amount appropriated has been exhausted.* Any amounts not
- 2 distributed in the first year of any biennium may be distributed in the second year if required to
- 3 distribute the maximum amount permissible under RSA 198:15-a.
- 4 3 Effective Date. This act shall take effect July 1, 2012.

198:15 A, I
General Fund.

School Building Construction Repair Aid

HB 528

Requiring school districts to develop a facility maintenance and capital improvement program.

1. Facility maintenance and capital improvement program means a program to replace or repair building systems on a building by building basis for each district. This includes a schedule for heating, plumbing and electrical systems, integrated technology systems, roof systems, building exterior, windows/doors, building interior, including painting and flooring, and site maintenance.
2. The plan shall include a 10year period: assessment of program capacity, enrollment projections, efficiencies of current use, match infrastructure to educational programs, education specifications, estimated budget costs, and evidence of consulting with local planning board.
3. The school district shall annually report to DOE amount budgeted toward maintenance and CIP.
4. This bill does not enable DOE to set contents of school district maintenance and CIP. This responsibility remains at the local level.

HB 604

Relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

1. In addition to language currently in place, 198:15-c, the following is required:
2. Each year, the Commissioner of DOE shall compile a list of school building projects.
3. Projects shall be prioritized in descending order of priority:
 - a. Priority 1: Health, Safety, and Compliance Issues.....
 - b. Priority 2: Repairs and Improvements not related to health, safety, compliance.....
 - c. Priority 3: Upgrades of learning spaces and minor capital improvements
4. Commissioner shall recommend projects to the state board of education for funding. Proposals not approved (no \$'s available) shall be assigned highest priority in the next fiscal year.
5. The DOE shall NOT approve if the school district has not complied with the school district facility maintenance plan....unless good cause for noncompliance.

HB 533

Establishing a cap on the amount of school building aid grants distributed in each fiscal year.

1. School building aid grants shall not exceed \$50m for FY ending June 30, 2012 and FY ending June 30, 2013.
2. School building aid grants shall not exceed \$50m for FY ending June 30, 2014 and not exceed each year thereafter unless a greater amount is approved by an act of the legislature.
3. School building aid grants shall be funded by appropriations in the state budget and NO state bonds shall be authorized or issued for the purpose of funding such school building aid grants.

SCHOOL BUILDING AID IN NEW HAMPSHIRE SUMMARY OF KEY EVENTS

- 1955 School Building Aid authorized by Chapter 335
Originally paid 20% for single districts and 40% for cooperative districts
\$350,000 appropriation for 1956
- 1957 Rates raised to 30% for single districts and 40% plus 5% for each
additional town for coops up to a maximum of 55% - Basic formula still in
effect today
- 1963 Authorized Regional Enrollment Areas eligible for cooperative rates
Appropriation of \$1,146,049 – First year over \$1 million
- 1965 Previously purchased land eligible upon construction
- 1967 School administrative offices eligible for 40%
- 1971 Planning and design costs eligible
- 1973 Vocational Education Center construction program established
State pays 100% of cost of construction of 26 centers over next 20 years
included in State Capital Budget
- 1975 Appropriation of \$6,387,376 – First year over \$5 million
- 1979 Renovations for life safety or barrier free access eligible
- 1983 Substantial renovations eligible
- 1988 SB 289, Chapter 290 School Facilities Study
- 1990 Appropriation of \$10,700,218 – First year over \$10 million
- 1997 Kindergarten Construction Aid program established - State pays
75% of cost for new kindergarten classrooms in districts not
previously providing kindergarten
Vocational Center renovation program established – State pays
75% of cost to renovate existing centers
- 1998 SB 462, Chapter 267:3 School Facilities Condition Study
Report issued September 1, 2000
- 1999 Nashua approves high school project in excess of \$100 million
- 2001 Appropriation of \$21,494,105 – First year over \$20 million

- 2003 Alternate formula created based on median family income and equalized valuation per pupil
Maximum payment of 60% for least wealthy districts
Maximum allowable limits established for size, land, construction cost
- 2004 Appropriation of \$30,929,934 – First year over \$30 million
- 2005 Tuition agreements eligible for cooperative rates
Additional 3% for high performance “green” construction
Maintenance plans required
State Board considers closing Profile Middle/High School for safety violations
- 2007 Appropriation of \$40,735,039 – First year over \$40 million
State Fire Marshal closes two of three floors at Hilltop School in Somersworth
- 2008 SB 321 Study Commission – No recommendations
Authorization to fund building aid through sale of state bonds
\$1.2 million taken from building aid to help cover budget deficit
Kindergarten mandatory by SY 09-10
Requirement for annual fire inspection.
- 2009 FY 09 shortfall of \$1.8 million not restored
Major debate over building aid in development of FY 10/11 budget
Building aid not included in House budget
Building aid ultimately funded through sale of state bonds FY 09 – FY 11
HB 2 Study Committee – Recommended moratorium on new projects in FY 11, no recommendations for changes to program
- 2010 Moratorium on new projects imposed for FY 11
Two lawsuits against Dept. by Concord residents over site size waiver
State Board and State Fire Marshal close Unity Elementary School for safety violations, Unity votes to build new school without School Building Aid
- 2011 Governor’s Budget funds School Building Aid at 40% in FY 12 and 100% in FY 13 from General Fund, Kindergarten Aid in Governor’s Capital Budget, no CTE renovations in Governor’s Budget
Legislature fully funds School Building Aid for FY 12/13 from General Fund, 2 CTE centers in Capital Budget, Kindergarten Aid through sale of state bonds but with \$1 million project cap
Moratorium on new projects to continue for FY 12 and FY 13
School Building Aid authorized for Unity
Several districts considering construction without state aid
Bill to establish new study commission does not pass
Three bills to modify school construction process do not pass

*"...to raise new ideas
and improve policy
debates through quality
information and analysis
on issues shaping New
Hampshire's future."*

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Under Construction: Improving New Hampshire's School Building Aid Program

January 2011

Authors

Daniel Barrick
Deputy Director

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About this paper

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Executive Summary

Building a new school is a hefty financial undertaking, especially for small districts that lack large tax bases. For more than half a century, New Hampshire has helped local school districts pay for new construction through the School Building Aid program. This program has underwritten the construction and renovation of hundreds of school buildings, with the fundamental policy outline largely in place since the late 1950s.

But in recent years, the program's cost has increased at a rate far exceeding the rest of the state budget, raising concerns about how to maintain this service to local school districts. In a 2006 report¹, the Center first identified School Building Aid as one of the top drivers of increased state spending; the description remains true today. Requests from districts will exceed \$50 million a year in the coming biennium, up from \$25 million in FY2003.

Aside from that long-term growth in the program's cost, lawmakers three years ago made a major change in the way the state paid for School Building Aid. Rather than drawing annual district reimbursements out of the General Fund, the Legislature bonded the payments for FY2009-11, for a total of \$131 million. While that decision was made in response to fiscal pressures from the recession, bonding future School Building Aid payments will add to the state's debt burden in coming years.

In addition, the state has already committed to spending nearly \$540 million over the next 30 years on previously approved school construction projects. That long-term obligation complicates attempts at "quick fixes" of the School Building Aid program, such as extending the moratorium on new projects that the Legislature approved last year.

Redesigning the program

Accordingly, any attempt to redefine New Hampshire's School Building Aid program must grapple with two distinct sets of problems: the immediate budgetary considerations in funding the program over the next biennium, and the long-term question of how to better define the program's goals and craft a policy that best achieves those goals.

As defined in statute and outlined in legislative precedent, a major goal of School Building Aid is to direct more money to the districts most in need of help. But an analysis by the Center shows that the current program may be missing that target. Some policy options that better meet that goal, while also improving the program's long-term fiscal stability, include:

- Capping annual state grants to districts, rather than allowing district demand to determine funding.
- Establishing a priority list for new construction projects deemed eligible for state reimbursement. A district's placement on that list would be determined by the condition

¹ "Fiscal Feast and Famine," New Hampshire Center for Public Policy Studies, December 2006.

of existing facilities and financial need. Projects that do not receive funding in a given year will be placed on a wait list.

- Rewriting the aid formula to lower the base reimbursement rate from 30 percent and increase the maximum rate from the current 60 percent.
- Assigning a dedicated revenue source to pay down the existing obligation for already-approved construction.
- Commissioning an inventory of the state's school facilities – including descriptions of the age and condition of buildings, building systems, and school sites – and establishing a mechanism for regular updates of that inventory.
- Ending the recent practice of bonding the state's annual School Building Aid payments.

An alternate approach would be to include the cost of new school construction in the formula used to calculate the cost of an adequate education. Such an approach would provide predictability and stability for the state, something the current program now lacks. One possible disadvantage: Districts might not set aside the building aid component of their adequacy grants, leaving them with no “stockpile” when the time for major construction comes.

Program History and Explanation

New Hampshire's School Building Aid program has seen several changes since it was designed more than 50 years ago, but the core program remains in place. In simple terms, the state pays a percentage of districts' annual principal payments on bonds for new construction or major renovations.

Under the current guidelines, all districts are eligible for a base reimbursement rate of 30 percent. But several factors can boost that base rate. For instance, cooperative school districts receive a base 40-percent reimbursement, with an extra 5 percent for each additional town in those districts, up to 55 percent.

Since 2005, the state has also offered an “alternative” reimbursement formula that provides more assistance to poorer school districts. This alternative formula, which ranks towns by median family income and equalized property valuation, can raise a district's reimbursement rate to as high as 60 percent.

Expenses eligible for state aid include:

- Construction costs, including the total cost of labor and materials
- Site development
- Cost of purchasing new buildings
- Land purchase, including land for buildings, parking lots and playing fields
- Planning and design costs

- New construction equipment
- Furniture and fixtures.

State reimbursements are assessed on a district's principal costs as well as funds spent directly from the district budget; finance charges and interest on construction bonds are not eligible for state aid. The state does not transfer aid to districts in a single lump sum. Payments are made over the term of the project financing, with two equal annual payments – one in October, one in April.

Prior to receiving approval for the School Building Aid program, districts are required to submit maintenance plans for the new facilities to the state Department of Education. Since 2005, the state has set annual limits on the lot size, square footage per pupil, and price per square foot for reimbursable expenses. The price per square foot varies by county and by type of school (elementary, middle, and high). Districts seeking state aid must also meet state education requirements for the relevant buildings. The Department of Education does not audit projects approved for state School Building Aid.

One additional note: The state is not required to pay the entire reimbursement rate to each district. According to state statute, if the amount appropriated in any given year is not enough to cover the calculated reimbursements, districts are to receive pro-rated amounts. But, in practice, shortfalls in the program are generally made up in the subsequent fiscal year. This has helped foster the impression that School Building Aid is a mandatory form of state assistance – a guarantee by the state to local districts.

Differences Across School Districts

Much past debate about School Building Aid has focused on finding ways to provide more state assistance to low-wealth districts. For instance, a legislative study committee determined last year that the program needs “to be more fair and equitable to those schools and communities with the greatest need.” Similarly, the goal of the “alternative” formula, which took effect in 2005, was to “benefit less wealthy communities,” according to records from the legislative debate.

But when considering whether to increase incentives for poorer districts, policymakers should decide whether such an approach has worked in the past.

What can we determine about the effect of the alternative formula?

Since the Department of Education adopted the alternative School Building Aid formula five years ago, 29 districts have qualified for the top rates of between 60 percent and 55 percent state aid. Of those 29 “poor” districts, 12 undertook projects eligible for School Building Aid, at a total of \$84.6 million in construction costs. (See Appendix A.) On a per-pupil basis, that comes to \$5,815.

Under those same rankings, 78 districts qualify for the lowest reimbursement rate of 30 percent, meaning they place highest in terms of equalized property valuation per student and median income. Since 2005, 31 of those “wealthy” districts initiated projects eligible

for School Building Aid – at \$216 million in total building costs. That comes to \$4,272 in construction spending per student.

From these figures, it appears that – at least among those that have undertaken construction – poorer districts spent more per pupil on construction than the wealthiest districts in the five years since the state began offering incentives to poor districts: \$5,768 per student in the poor districts compared to \$4,272 per student in the wealthy districts.

But the wealthier districts appear to be spending more money overall, building bigger, more expensive schools. Of the 100 most expensive building projects currently receiving School Building Aid, just five (a new elementary school in Somersworth, a capital improvement plan in Hinsdale, an energy system replacement in Rochester, a multi-school renovation in Claremont and an elementary school addition in Newport) are in the 29 “poor” districts eligible for the highest rate of state reimbursement.

School infrastructure information lacking

Embarking on major school construction is a complicated function of need and ability to pay. But measuring the relationship between the two with any precision in New Hampshire is difficult. For one, the state does not maintain a database detailing the condition of its school infrastructure, so it is not possible to say categorically whether poorer districts have a disproportionate share of buildings in dire need of repair or replacement. In other words, it is hard to determine whether the districts most in need of new facilities are actually spending the money.

The most recent survey of New Hampshire's schools is more than a decade old and was compiled through self-reported accounts by school administrators. Those administrators answered broad questions about their facilities' age, size, energy and heating systems, construction, and building environment. The private firm that oversaw the survey acknowledged that it was “non-technical,” since it was not performed by trained engineers. Only five schools received on-site visits to verify the information in the surveys. “The survey information should not be used to compare individual schools or communities,” the surveyors' report concludes. The report also recommended that the state develop an ongoing method to monitor the condition of school buildings.²

No such mechanism yet exists. And without that kind of information, it is difficult to gauge the degree to which policy decisions such as a higher reimbursement rate will spur poorer districts to initiate new construction. If policymakers wish to direct School Building Aid money to the communities that need it most, more information about the condition of the state's facilities will help determine that need with greater precision.

Should the policy promote regional school districts?

A corollary to this discussion – and one that any revised School Building Aid program should consider – is the influence state construction aid has in spurring towns to consolidate into regional school districts. Prior to the implementation of the alternate

² “New Hampshire Public Schools Facilities Adequacy and Condition Study Report,” August 23, 2000; H.L. Turner Group, Concord, N.H.

formula five years ago, the program offered the highest rate of building aid to cooperative school districts – up to 55 percent state reimbursement, versus the 30 percent reimbursement for single-town districts. With the adoption of the alternate formula, poor communities now receive a larger share of state aid by building their own school rather than consolidating their with neighboring towns.

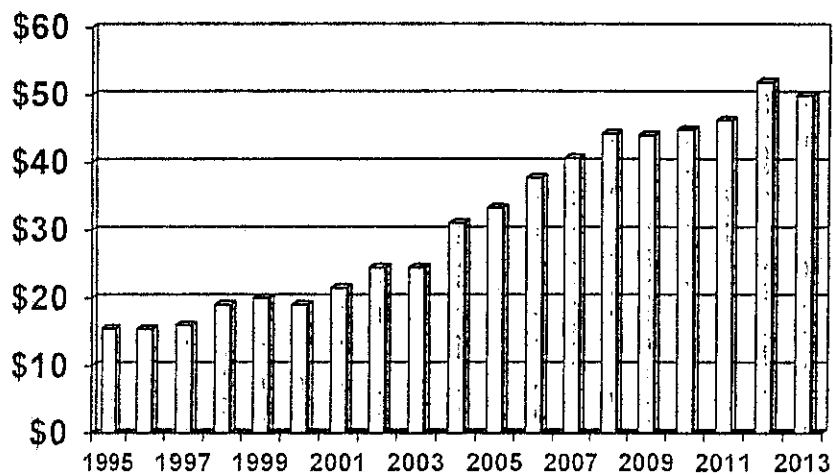
Of course, creating a regional school district carries multiple advantages and disadvantages for a community. But the question that arises from this is: Should a reformed School Building Aid program include greater incentives for smaller districts to pool resources by creating regional cooperatives, thus saving on maintenance, staffing and other costs? And is such a goal obscured by a program that targets money based on a district's wealth?

Interestingly, several of the most expensive building projects of the past decade involved towns who built their own high schools after pulling out of multi-town districts or ending tuition agreements with other communities. Those include new high schools in Bedford (\$52 million), Windham (\$50 million), Bow (\$16 million), and Litchfield (\$13 million), all of which received 30 percent state aid.

Understanding the Growth in Program Expense

Between FY2000 and FY2011, state appropriations for School Building Aid increased more than 140 percent, from \$19 million to \$46 million (Figure 1). Annual requests for FY2012 and FY2013 are expected to reach \$52 million and \$50 million, respectively. (The FY2012-13 numbers are department requests for the upcoming budget negotiations, based on district eligibility for new projects and existing state obligations.)

Figure 1: Annual School Building Aid Appropriations in Millions, 1995-2013



Source: Office of the Legislative Budget Assistant

Assuming no change in program eligibility, School Building Aid is expected to cost the state more than \$60 million by FY2016, according to figures from the Department of Education.

Looking even further into the future, the state's long-term commitment to the School Building Aid program assumes a grand scale. Regardless of any potential changes in program eligibility or funding mechanisms, the state has committed to spending more than \$500 million over the next 30 years for already-approved construction projects. This long-term obligation is discussed in greater detail below.

New high schools have driven program cost

What is driving this growing cost? Put simply, high schools. Over the past decade, New Hampshire has witnessed an intense period of large-scale high school construction and renovation, particularly in bigger school districts. And because the state doles out School Building Aid over the life of a project's bond, rather than in single lump payments, big-ticket projects have a greater cumulative fiscal impact, especially when bunched together in a short time period.

An analysis by the Center shows that eleven major high school construction projects totaling \$544 million have become eligible for School Building Aid since 2000, including projects in Nashua (\$123 million), Manchester (\$60 million), Governor Wentworth Regional (\$60 million), Bedford (\$52 million), Exeter (\$51 million), Windham (\$51 million) and Conway (\$32 million). In more than half of those cases (six districts) the state covered at least 50 percent of total project costs.

In addition, in just the past five years, several large-scale middle school building projects also received state aid – in Keene (\$38 million), Laconia (\$24 million), Lebanon (\$26 million) and Kearsarge Regional (\$26 million.) Reimbursements for those projects ranged between 40 percent and 55 percent of total project costs.

Each of those projects individually added between \$500,000 and \$2 million to the state's annual School Building Aid obligation.

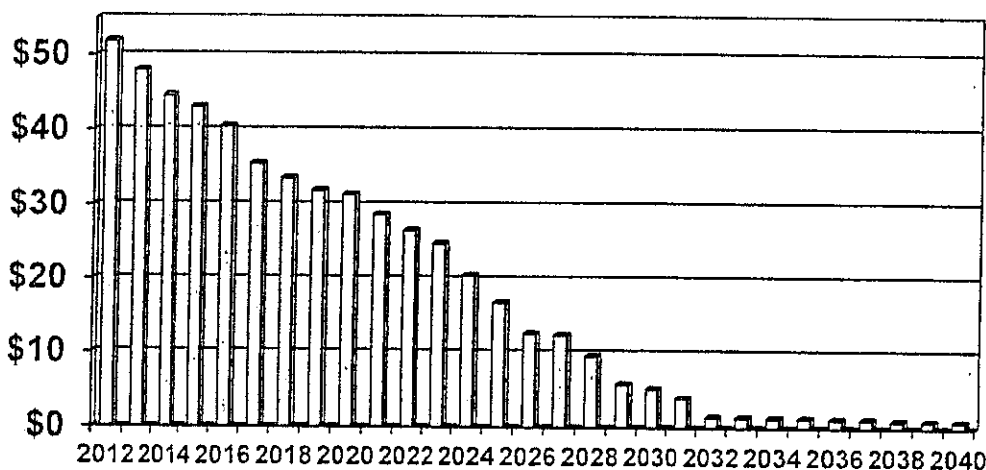
The Existing Obligation

Lawmakers last year put a temporary freeze on new school building aid awards, in an attempt to provide an opportunity for policy review and to slow the long-term growth in School Building Aid costs. But distinct from the question of how to deal with future construction, there is the matter of the state's existing obligation for past construction currently receiving state aid.

The state has still committed to payments totaling \$539 million for roughly 360 projects through FY2040 (Figure 2). The annual payment on this obligation, known as the

program's "tail," comes to \$52 million in FY2012, gradually declining to less than \$1 million in FY2040, as school bonds are retired.³

Figure 2: Existing Annual School Building Aid Obligation, 2012-2040, in millions



Source: New Hampshire Department of Education

The present figures are simply a snapshot in time; they do not account for new construction projects in coming years. Simply put, this is what the state will owe even if policymakers decide to eliminate School Building Aid for future projects.⁴

Accordingly, any fixes to School Building Aid must take this obligation into account. The significant annual payments already due to districts – more than \$40 million a year through 2016 – complicate proposals that call for large upfront investments, such as a revised program that would distribute future monies in one-time payments, rather than in annual allotments.

Scrapping the program altogether however – including eliminating payments on previously approved building projects – would likely be viewed as a “downshift” in costs to local municipalities and property taxpayers.

Recent Changes in Financing

Until 2009, the state paid its reimbursements to local school districts each year in cash out of the General Fund. For fiscal years 2009 through 2011, however, the state borrowed

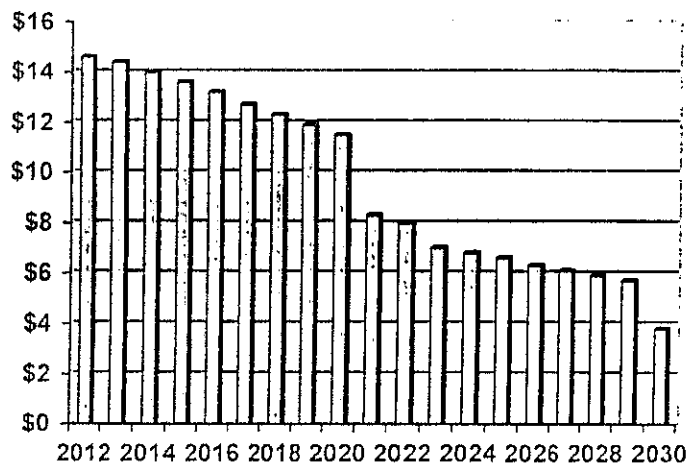
³ These figures do not include the debt service due on bonds issued to cover the state's payments to districts in FY2009-11, discussed below. With that debt service included, the state's long-term School Building Aid obligation rises to more than \$725 million.

⁴ A map of the distribution of these payments by school district is available as Appendix B of this report.

\$131 million to cover its payments to districts, bonding \$40 million in FY09, \$45 million in FY10 and \$46 million in FY11.

The decision to bond those payments was intended to ease pressure on the General Fund in the short term, but it did not come without financial cost. As illustrated in Figure 3, debt service on those bonds will total nearly \$188 million through FY30. Calculated at present-value dollars, those debt payments will cost the state roughly \$145 million over the life of the bonds, according to figures from the State Treasury.

Figure 3: Debt Service on Bonding of School Building Aid for FY09-11, in millions



Source: Office the New Hampshire State Treasury

In the coming biennium, FY2012-13, the state owes nearly \$30 million on debt service on those bonds.

Focusing solely on options for financing School Building Aid for the next biennium, one possibility is to continue the practice of bonding the state's payments to districts. That would reduce pressure on the General Fund for FY2012-13. But it makes little sense as a long-term financing solution and does nothing to address the question of how to bring greater fiscal control or parity to the program.

According to the Treasurer's Office, paying for School Building Aid through bonding alone will result in an ever higher rate of growth in that state's financial obligation, with annual debt payments exceeding actual construction aid by FY2026.

Questions to Consider

As policy makers consider ideas for changing New Hampshire's School Building Aid program, the following questions may provide points for discussion:

1. What should New Hampshire's School Building Aid program pay for? The state now pays for some items – such as land acquisition, playing fields and furniture – that many states exclude from their building aid program. In Vermont, for instance, the costs of land acquisition and furniture are not eligible for state aid. Connecticut's reimbursement formula is far more specific than New Hampshire's. In that state, an auditorium's stage is eligible for the full state reimbursement rate, but an auditorium's seating area is only eligible for half the reimbursement rate. Additionally, some items – such as athletic fields, playgrounds and parking lots – are eligible for only half the district's normal reimbursement rate.

2. What is the best way to pay for the program, both the existing commitment for past projects, as well as future construction subsidies? Policymakers may wish to consider a program that prioritizes the projects eligible for subsidy each year, with a cap on total annual expenditures. While nearly every state assists local school districts with major construction costs, New Hampshire's program is rare in New England in not assigning priority to building projects each year. Massachusetts, Vermont, Maine and Connecticut all use ranking systems to prioritize projects. In Vermont, projects are approved based on ratings that consider existing building conditions, existing school space per student and projected enrollment. In Maine, construction projects are ranked according to a similar point system. Massachusetts' building aid program is a competitive one, and aid is distributed based on "need and urgency," as determined by the School Building Authority. In all three states, projects that do not receive funding are placed on a waiting list. Such a system should include safeguards to prevent districts from allowing their schools to deteriorate in the hopes of winning quicker state aid for new buildings.

In terms of paying for the program, one option is to set up a dedicated revenue source. For instance, since 2004, Massachusetts has dedicated 20 percent of state sales tax receipts to fund school construction payments.

3. Should the program take a more "targeted" approach, weighing reimbursements towards poorer school districts and reducing – or eliminating altogether – aid for the wealthiest communities? Massachusetts' reimbursement rate is calculated by taking a base rate of 31 percent for all districts and increasing it based on a community's property value per capita income and poverty rate. Districts can also receive a higher reimbursement for meeting certain "incentive points," such as energy-efficient design, setting aside money in a maintenance trust fund, and agreeing to use "best practices" for routine and capital maintenance. Reimbursement rates generally range between 40 and 80 percent, with higher reimbursements for the poorest districts.

Are there other ways to target School Building Aid? In Vermont, for instance, districts that incorporate renewable energy sources are eligible for up to 75 percent state aid.

4. Should School Building Aid be considered a component of an “adequate education” and thus included in the state’s adequacy formula, rather than as a stand-alone program? This may make for a more predictable appropriation for the state. But it may tempt districts to spend the building aid portion of their adequacy payments for non-construction expenses – thus defeating the purpose of the program.

5. Should New Hampshire consider a centralized school building authority, with the power to conduct regular audits of subsidized projects, and with greater scrutiny of design and construction choices? Massachusetts’ program requires direct state oversight through the course of the planning and construction phases. For instance, school districts seeking state building aid must present their plans to a subcommittee of the School Building Authority and receive feedback on their proposal before presenting to the full board. Approval by the state authority is required at several stages of the planning process. The Massachusetts School Building Authority, an agency with 50 staff members, conducts regular audits of construction projects. Such an approach may raise questions about the tradition of local control for New Hampshire’s school districts.

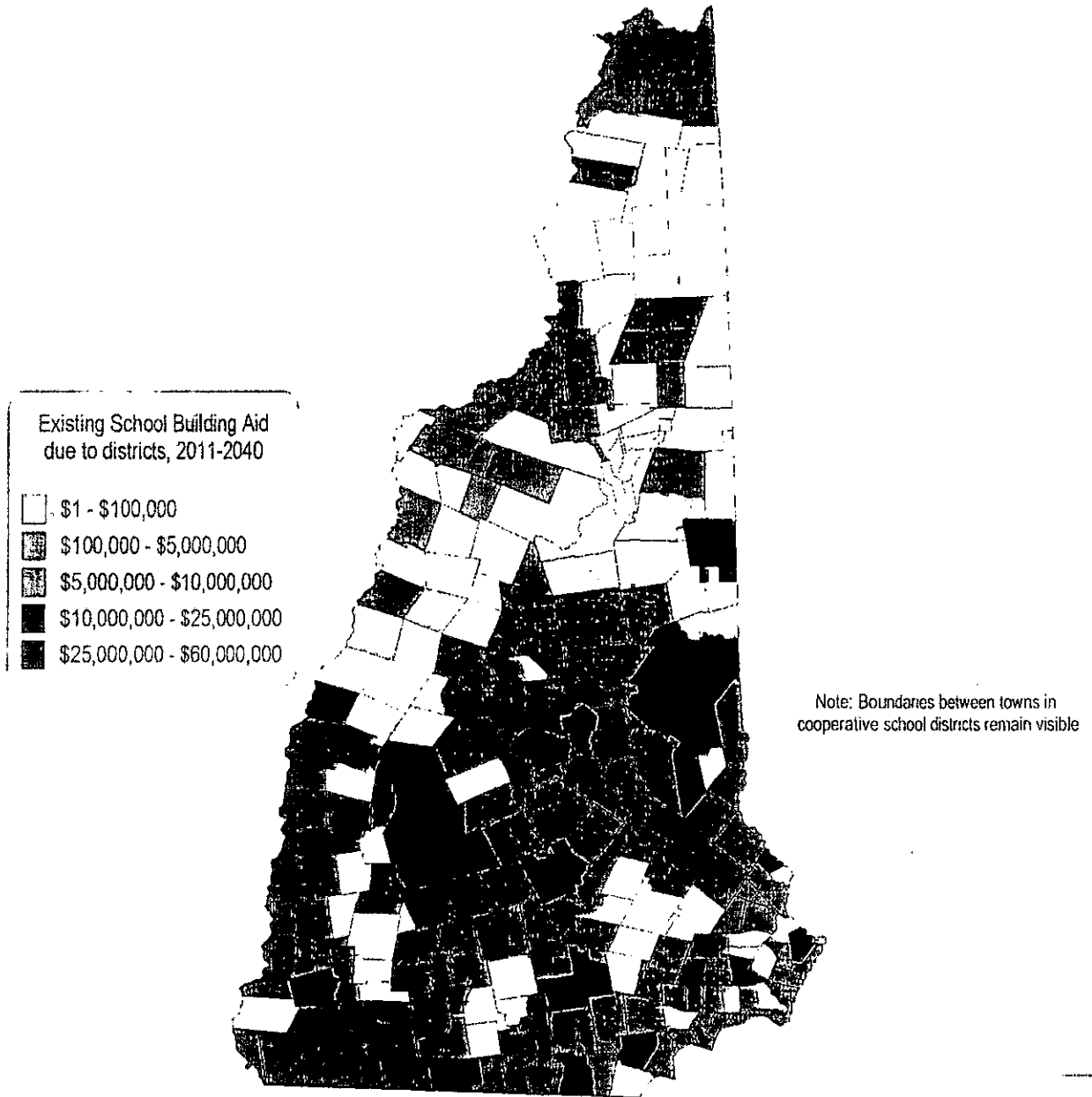
Were New Hampshire to adopt such a model, the state would likely have to compile a thorough inventory of its future school building needs. Connecticut, for instance, maintains an online database, updated every two years, detailing the condition of all public school buildings in the state.

In any case, policymakers need to assess whether New Hampshire currently provides sufficient infrastructure and staff to monitor the effectiveness of a program that distributes \$50 million a year across dozens of school districts.

Appendix A: School Building Aid expenses (2005-10) for districts eligible for lowest reimbursement rates (30 percent) and highest rates (55-60 percent).

DISTRICT	SBA rate	Total school construction spending	State School Building Aid	5 year average enrollment	Construction spending per pupil	State aid per pupil	District's share of construction spending	District construction spending per pupil
NORTHUMBERLAND	60%	\$249,485	\$149,691	439	\$568	\$341	\$99,794	\$227
COLEBROOK AREA	60%	\$312,045	\$187,227	483	\$647	\$388	\$124,816	\$259
FRANKLIN	60%	\$2,700,000	\$1,620,000	1,417	\$1,906	\$1,143	\$1,080,000	\$762
BERLIN	60%	\$2,751,585	\$1,650,951	1,517	\$1,814	\$1,088	\$1,100,634	\$726
PLYMOUTH	60%	\$3,494,638	\$2,096,783	439	\$7,953	\$4,772	\$1,397,855	\$3,181
HAVERHILL COOP	60%	\$4,231,083	\$2,538,650	797	\$5,309	\$3,185	\$1,692,433	\$2,124
NEWPORT	60%	\$10,582,220	\$6,349,332	1,149	\$9,213	\$5,528	\$4,232,888	\$3,685
ROCHESTER	60%	\$14,093,537	\$8,456,122	4,702	\$2,997	\$1,798	\$5,637,415	\$1,199
HINSDALE	60%	\$15,043,996	\$9,026,398	664	\$22,650	\$13,590	\$6,017,598	\$9,060
MILTON	60%	\$4,424,376	\$2,654,626	649	\$6,817	\$4,090	\$1,769,750	\$2,727
GORHAM-RANDOLPH-SHELBURNE COOP	57%	\$5,385,000	\$3,069,450	514	\$10,477	\$5,972	\$2,315,550	\$4,505
SOMERSWORTH	55%	\$21,363,850	\$11,750,118	1,785	\$11,970	\$6,583	\$9,613,733	\$5,388
WASHINGTON	30%	\$3,887	\$1,166	74	\$53	\$16	\$2,721	\$37
NEW CASTLE	30%	\$13,480	\$4,044	60	\$225	\$67	\$9,436	\$157
BROOKLINE	30%	\$116,000	\$34,800	632	\$183	\$55	\$81,200	\$128
HOLLIS	30%	\$124,950	\$37,485	769	\$162	\$49	\$87,465	\$114
HOPKINTON	30%	\$189,000	\$56,700	1,020	\$185	\$56	\$132,300	\$130
BARTLETT	30%	\$208,482	\$62,545	299	\$698	\$209	\$145,937	\$489
RYE	30%	\$399,762	\$119,929	525	\$762	\$229	\$279,834	\$533
CORNISH	30%	\$490,300	\$147,090	139	\$3,527	\$1,058	\$343,210	\$2,469
DUNBARTON	30%	\$551,735	\$165,521	208	\$2,653	\$796	\$386,215	\$1,857
WATERVILLE VALLEY	30%	\$662,606	\$198,782	32	\$20,706	\$6,212	\$463,824	\$14,495
PLAINFIELD	30%	\$690,000	\$207,000	280	\$2,464	\$739	\$483,000	\$1,725
WESTMORELAND	30%	\$690,000	\$207,000	149	\$4,643	\$1,393	\$483,000	\$3,250
JACKSON	30%	\$936,300	\$280,890	53	\$17,534	\$5,260	\$655,410	\$12,274
THORNTON	30%	\$1,517,000	\$455,100	199	\$7,631	\$2,289	\$1,061,900	\$5,342
GOFFSTOWN	30%	\$1,568,142	\$470,443	1,174	\$1,336	\$401	\$1,097,699	\$935
LEBANON	30%	\$1,712,634	\$513,790	797	\$2,150	\$645	\$1,198,844	\$1,505
SEABROOK	30%	\$1,880,093	\$564,028	827	\$2,272	\$682	\$1,316,065	\$1,591
HOLDERNESS	30%	\$2,505,302	\$751,591	210	\$11,919	\$3,576	\$1,753,711	\$8,343
HUDSON	30%	\$3,043,534	\$913,060	4,135	\$736	\$221	\$2,130,474	\$515
MERRIMACK	30%	\$3,616,562	\$1,084,969	4,583	\$789	\$237	\$2,531,593	\$552
MASON	30%	\$4,000,000	\$1,200,000	107	\$37,383	\$11,215	\$2,800,000	\$26,168
BOW	30%	\$4,056,954	\$1,217,086	1,703	\$2,382	\$715	\$2,839,867	\$1,667
STRAFFORD	30%	\$5,600,000	\$1,680,000	475	\$11,799	\$3,540	\$3,920,000	\$8,260
AMHERST	30%	\$5,978,000	\$1,793,400	1,586	\$3,769	\$1,131	\$4,184,600	\$2,638
GRANTHAM	30%	\$7,159,638	\$2,147,892	229	\$31,320	\$9,396	\$5,011,747	\$21,924
NASHUA	30%	\$9,450,000	\$2,835,000	12,588	\$751	\$225	\$6,615,000	\$525
LONDONDERRY	30%	\$10,715,406	\$3,214,622	5,370	\$1,995	\$599	\$7,500,784	\$1,397
SALEM	30%	\$21,754,002	\$6,526,201	2,945	\$7,388	\$2,216	\$15,227,801	\$5,171
DOVER	30%	\$24,019,537	\$7,205,861	4,105	\$5,851	\$1,755	\$16,813,676	\$4,066
WINDHAM	30%	\$50,615,296	\$15,184,589	1,736	\$29,153	\$8,746	\$35,430,707	\$20,407
BEDFORD	30%	\$52,218,884	\$15,665,665	3,670	\$14,229	\$4,269	\$36,553,219	\$9,960

Appendix B: Distribution of School Building Aid, 2011-2040, by school district for previously approved construction projects.



Source: New Hampshire Department of Education

These payments represent the state's annual reimbursements for district principal payments on construction bonds. The statewide payments total \$539 million through 2040 and include roughly 360 construction projects.

HOUSE COMMITTEE ON EDUCATION
SUBCOMMITTEE WORK SESSION ON HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: September 29, 2011

Subcommittee Members: Reps. Ladd, Pitre, Hutchinson, and Shaw

Comments and Recommendations: Rep. Ladd explained changes as recommended by the committee on Tuesday to the amendment. The committee agreed to changes and with no further discussion, the motion to approve the bill as amended was submitted.

Amendments:

Sponsor: Rep. Ladd	OLS Document #:	2011	2636h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

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

Moved by Rep. Shaw

Seconded by Rep. Pitre

Vote: 3-0

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. ~~Rick Ladd~~
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EDUCATION
SUBCOMMITTEE WORK SESSION ON HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: September 29, 2011 10:00 - 10:20

Subcommittee Members: Reps. Ladd, Pitre, Hutchinson, and Shaw

Comments and Recommendations: Rep Ladd captured changes as recommended by the committee on Tuesday to the amendment. The committee agreed to changes and with no further discussion the motion to approve the bill as amended was submitted.

Amendments:

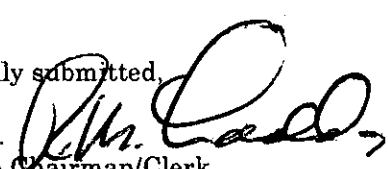
Sponsor: Rep. Ladd OLS Document #: 2011-2636h
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

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

Moved by Rep.
Seconded by Rep.
Vote:

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

Moved by Rep. Shaw
Seconded by Rep. Pitre
Vote: yes 3 no 0

Respectfully submitted,
Rep. 
Subcommittee Chairman/Clerk

Amendment to HB 604

1 1 School Building Aid; Approval of Plans, Specifications, and Costs. Amend RSA 198:15-c to
2 read as follows:

3 198:15-c Approval of Plans, Specifications, and Costs of Construction or Purchase.

4 ***I.*** A school district maintaining approved schools, desiring to avail itself of the grants herein
5 provided shall have the plans, specifications, and cost estimates for school plant construction or
6 proposals for the purchase of school buildings, or both, and the costs for them approved by the state
7 board prior to the start of construction. For this purpose the district shall submit its plans,
8 specifications, cost, and purchase estimates in writing to the department of education ***no later than***
9 ***December 1 of the fiscal year prior to the fiscal year in which the first grant payment is to***
10 ***be made*** on such forms as the department prescribes. A school district shall also submit a copy of
11 any application for energy efficiency reimbursement under RSA 374-F. The department of education
12 shall coordinate with the public utilities commission to ensure that eligible school districts have
13 submitted applications for funding reimbursement and technical assistance as available from energy
14 utility companies to promote indoor air quality and energy efficiency in public schools. [~~Application~~
15 ~~for school building aid shall be submitted before January 1 of each year in order to be eligible for~~
16 ~~school building aid in the fiscal year following the year of submittal.~~]

17 ***II.(a)*** ***The commissioner shall accept school building aid applications based upon***
18 ***completeness and submit a preliminary school building aid list to the school building***
19 ***authority established pursuant to RSA 195-C. By March 1 of each fiscal year, the school***
20 ***building authority shall develop a rank ordered list of all school building construction***
21 ***and renovation aid proposals submitted by school districts and shall categorize each***
22 ***proposal based on school building and site criteria in descending order. The project***
23 ***rating system and criteria used to rate project applications shall be developed by the***
24 ***department of education and be approved by the state board of education no later than***
25 ***November 1, 2013.***

26 ***(b)*** ***A ranking system in support of primary categories criteria shall include***
27 ***consideration of unsafe conditions; obsolete, inefficient, or unsuitable facilities or***
28 ***mechanical and building systems; overcrowding and associated influences to instructional***
29 ***areas and programming; enrollment projections and population shifts; and other***
30 ***conditions as determined necessary.***

31 ***(c)*** ***The school building authority shall recommend prioritized proposals to be***
32 ***funded in descending rank order to the state board of education for approval. Those***

1 *proposals not approved and funded shall be considered for funding in the next biennial*
2 *budget. Available resources will determine the number of designated projects to be funded*
3 *during any one funding cycle.*

4 *(d) Emergency requests shall be dealt with on a case-by-case basis as deemed*
5 *appropriate by the state board of education.*

6 *III.* The department of education shall not approve the plans, specifications, cost, or
7 purchase estimates, if in the department's judgment the facilities planned will not adequately meet
8 the educational requirements, or if its cost estimates are excessive or unreasonable. The department
9 of education shall not approve the plans, specifications, cost, or purchase estimates if in the
10 department's judgment the proposed construction or purchase is in conflict with effective statewide
11 planning pursuant to RSA 9-A or the principles of smart growth pursuant to RSA 9-B. Necessary
12 costs of the purchase of school buildings may be determined by any recognized method of real estate
13 appraisal with appropriate adjustments for remodeling or other expenditures. Upon approval of the
14 construction or purchase, or both, by the department of education, the school district shall be entitled
15 to receive an annual grant as provided herein.

16 2 School Building Aid; Proration and Unexpended Funds. Amend RSA 198:15-e to read as
17 follows:

18 198:15-e Proration and Unexpended Funds. [If] In any *fiscal* year, the amount appropriated for
19 distribution as school building grants in accordance with RSA 198:15-b *shall first be awarded to a*
20 *school district for an eligible project approved in a prior fiscal year. If the amount*
21 *appropriated* is insufficient [~~therefor, grants for eligible construction work approved by the~~
22 ~~legislative body of the school district since the approval of the most recent state biennial budget shall~~
23 ~~be deferred and included in a request for a future appropriation, or partial grants may be made to~~
24 ~~the extent of the available appropriation. Any partial grant made shall be prorated proportionally~~
25 ~~among all districts with eligible construction work approved since the approval of the most recent~~
26 ~~biennial budget. The department of education shall include any unpaid grant amounts in the next~~
27 ~~biennial budget or request a supplemental appropriation. If the amount appropriated is insufficient~~
28 ~~after deducting all grants approved since the approval of the most recent biennial budget,] the
29 appropriation shall be prorated proportionally among the districts entitled to a grant. *If the*
30 *amount appropriated exceeds the amount necessary to fully fund grants to a school district*
31 *for eligible construction in a previous year, the remaining amount of the appropriation*
32 *shall be awarded to a school district for an eligible new proposal in the ranked order*
33 *developed pursuant to RSA 198:15-c, II(a). Such a district shall receive a grant equal to*
34 *100 percent of the eligible amount of the request until the amount appropriated has been*
35 *exhausted. A partial grant may be awarded to the extent that funds are available. If a*
36 *school district declines a full or partial grant, a grant shall be made to the next ranked*
37 *school district until the amount appropriated has been exhausted. Any amounts not*~~

Amendment to HB 604

- Page 3 -

- 1 distributed in the first year of any biennium may be distributed in the second year if required to
- 2 distribute the maximum amount permissible under RSA 198:15-a.
- 3 3 Effective Date. This act shall take effect July 1, 2012.

Testimony

HB 528 & HB 604 Notes for Testimony

TA

- The Department of Education in general supports the concept of better planning for school construction. It is our understanding that HB 528 and HB 604, along with HB 533, heard last week, were intended by the sponsor to go together as significant revisions to the School Building Aid program.
- As currently written (there will probably be amendments) there are several flaws in the language in all three bills. It may also be problematic if all three bills do not pass. The Department of Education looks forward to working with the sponsor and the committee to improve the bills.
- Problems (as originally written):

HB 528 – Requirement is included in RSA 199 rather than RSA 198:15. It therefore becomes a mandate for all schools, not simply a requirement to receive School Building Aid. There is already a requirement for a maintenance plan in RSA 198:15, but the items to be included in the plan are somewhat different from what is in this bill.

HB 604 –

1. There are significant conflicts between this proposed legislation and RSA 198:15-b, IV. RSA 198:15-b, IV defines construction and lists the various types of work that are eligible for reimbursement. Some of those items in the RSA are not included in Section II(a) of the proposed legislation. There is no place in the proposed priority system for new buildings, additions to existing buildings, purchase of existing buildings, or energy efficiency projects.
2. RSA 198:15-b, IV(f) includes "substantial renovation" as an eligible expense. The definition of "substantial renovation" is found in Administrative Rule Ed 321.27. To be considered substantial renovation, a project must cost at least 25% of the cost to replace the entire building. Most of the work described in Section II of the proposed legislation does not rise to the current threshold for substantial renovation and consequently is not currently eligible for School Building Aid. Much of what is described in the proposed legislation is routine maintenance and repair work which is currently considered to be wholly the responsibility of the local school district.
3. Section II(a)(3) of the proposed legislation includes "minor capital expenses" which are not defined and which probably do not rise to the level of "substantial renovation" under RSA 198:15-b, IV(f).
4. Section II(a)(2) includes improvements to water supply or waste disposal systems which would almost always be considered a health or compliance issue and therefore a priority 1 rather than priority 2 situation.
5. Section II(b) states that proposals not approved by the State Board of Education in a given year shall be given top priority in the next fiscal year. The only reason a project would not be approved is that it is ineligible or because the application is incomplete. It does not seem to make sense to give such a project the highest priority in the next year. The Department of Education believes that the author of the LSR may have misunderstood of how School Building Aid grants are awarded. The amount appropriated in any given fiscal year does not determine which projects are funded and which are not funded. RSA 198:15-e requires that, if the appropriation is insufficient to cover all eligible projects, the amount shall be prorated among all eligible projects. Prioritizing projects will have no effect on which ones are funded unless 198:15-e is changed.

6. The term "compliance issues" is very vague. There are fire code compliance requirements, building code requirements, environmental requirements, food safety requirements, department of transportation requirements, as well as department of education standards for classrooms and other spaces. All require "compliance" and any project is likely to be addressing at least some compliance issues which would make everything priority 1, unless "compliance" is further defined.
7. Section III of the proposed legislation requires the department to compare the proposal with the "school district facility maintenance plan." We believe the intent may be to require districts to have master plans or capital improvement plans into which the proposed project should fit. A maintenance plan merely describes how the space will be maintained after construction is complete. It does not describe the rationale for the project or give any indication of long range planning which we believe is the intent of this requirement.

For

Rep Hill

HB 604

New Hampshire School Boards Association

Resolutions for 2010

Adopted by the 2010 NHSBA Delegate Assembly – January 16, 2010

Education Funding:

1. The NHSBA opposes any constitutional amendment that vacates the spirit and intent of the Claremont and Londonderry lawsuits and attempts in any way to limit or redirect funding in a manner that is contrary to the New Hampshire Supreme Court's ruling and present interpretation of the New Hampshire Constitution. (2008)
2. NHSBA opposes transfer of the responsibility to provide and fund a free and appropriate education (FAPE) for special education students from resident districts to attending districts when a non-resident student is placed in a district by a parent. (2008)
3. The NHSBA supports the full and traditional funding, by the NH Legislature and the Governor, of State Building Aid, a program that has effectively created local and state partnerships in financing school building improvements that benefit all students of New Hampshire, and which should be considered a significant part of fulfilling the State's Constitutional duty to provide an adequate education to all children. (2010)
4. NHSBA opposes the recent change in statute that decreases the state share of local employer retirement costs. NHSBA calls for the immediate return of the state share of local employer retirement costs for teachers, police and fire to 35% for fiscal years 2010 and 2011, as well as maintaining this commitment in the future. (2010)

Accountability:

5. NHSBA supports a review of NH's accountability and performance measures as well as standards established for the NH state assessment program. (2009)

Local Control and School District Autonomy:

6. The NHSBA supports the NH Legislature amending the "SB 2" process to allow a legislative body to specifically vote by a supermajority of 60% on a Warrant Article to create and fund a program that would then continue beyond the single year and its costs would be included as part of the following years default budget. (2008)
7. NHSBA opposes the 2008 change in statute implementing an "Evergreen Clause" in all negotiated contracts. This new requirement mandates the continuation of any

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: 2/25/2011

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.) **RETAIN**

Moved by Rep. Ladd

Seconded by Rep. Shaw

Vote: 15-0 (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:

(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 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: 2-25-2011

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.)

Retain

Moved by Rep.

Ladd

Seconded by Rep.

Shaw

Vote: 15-0 (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:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rick Ladd
Rep. Rick Ladd, Clerk

EDUCATION

604

Bill #: 604 Title: Approval of plans, specifications, and costs of school construction

Retain

PH Date: 2/15/2011

Exec Session Date: 2/25/2011

Motion: Retain

Amendment #: _____

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

TOTAL VOTE:
Printed: 1/4/2011

15

0

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: October 25, 2011

LOB ROOM: 207

Amendments:

Sponsor: Rep. Ladd, Pitre, & Shaw OLS Document #: 2011 2778h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Ladd

Seconded by Rep. Boehm

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

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

Moved by Rep. Ladd

Seconded by Rep. Boehm

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

CONSENT CALENDAR VOTE: YES

(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 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: October 25, 2011

LOB ROOM: 207

Amendments:

Sponsor: Rep.

Ladd withdrew Amendment 2722h and introduced new amendment 2778h

Sponsor: Rep.

Ladd / ~~Shear~~ OLS Document #: 2778h
Pitre

Sponsor: Rep.

OLS Document #:
OLS Document #:

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

Amendment 2778h

Moved by Rep. *Ladd / Boehm*

Seconded by Rep.

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

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

Moved by Rep. *Ladd / Boehm*

Seconded by Rep.

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

CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Rick Ladd, Clerk

EDUCATION

Bill #: 404 Title: Procedure for approval of plan, specs and costs of sch bldg construction

PH Date: 2/15/11 Exec Session Date: / /

Motion: Ladd Amend. 278h Amendment #: 278h

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

EDUCATION

Bill #: 604 Title: Procedures for approval of plans, specs, and costs of school bldg construction/renovations
 PH Date: 2/15/11 Exec Session Date: 10/25/2011

Motion: OTP w/ amend, Ladd Amendment #: ~~278~~ h

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

HOUSE COMMITTEE ON FINANCE

EXECUTIVE SESSION on HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE: March 20, 2012

LOB ROOM: 210-211

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. W. Smith

Seconded by Rep. Keane

Vote: 24-0 (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.)

REGULAR or CONSENT CALENDAR VOTE: (circle one)

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Karen Umberger, Clerk

HOUSE COMMITTEE ON FINANCE

EXECUTIVE SESSION on HB 604

BILL TITLE: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

DATE:

LOB ROOM: 210-211

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. *Smith*

Seconded by Rep. *Keane*

Vote: *24-0* (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.)

REGULAR or CONSENT CALENDAR VOTE: (circle one)

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Rep. Karen Umberger, Clerk

FINANCE

Bill #: 604 Title: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

PH Date: / / Exec Session Date: 3 / 20 / 12Motion: ITL Amendment #:

MEMBER	YEAS	NAYS
Weyler, Kenneth L, Chairman	24	
Ober, Lynne M, V Chairman	23	
Kurk, Neal M	1	
Emerton, Larry <i>abs</i>		
Rodeschin, Beverly T	2	
Belvin, William S	3	
Elliott, Robert J	4	
Vaillancourt, Steve	5	
Allen, Mary M	6	
Garcia, Marilinda J	7	
Barry, Richard W	8	
Cebrowski, John W <i>abs</i>		
Smith, William B	9	
Sova, Charles E	10	
Umberger, Karen C, Clerk	11	
Keane, Thomas E	12	
McGuire, Dan	13	
Simard, Paul H	14	
Twombly, Timothy L	15	
Worsman, Colette	16	
Foose, Robert A	17	
Nordgren, Sharon	18	
Baroody, Benjamin C	19	
Benn, Bernard L	20	
Lerandeau, Alfred C	21	
Rosenwald, Cindy	22	
TOTAL VOTE:	24	0

Committee Report

CONSENT CALENDAR

October 26, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on EDUCATION to which was referred
HB604,**

**AN ACT relative to the procedures for approval of
plans, specifications, and costs of school building
construction or renovation. Having considered the
same, report the same with the following amendment,
and the recommendation that the bill OUGHT TO PASS
WITH AMENDMENT.**

Rep. Rick M Ladd

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	EDUCATION
Bill Number:	HB604
Title:	relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.
Date:	October 26, 2011
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

In 2010, a moratorium was put on school building aid awards in an effort to provide an opportunity to establish needed policy for the review and approval of new and renovation construction, and most importantly, to slow down the long term growth in school building aid costs. There is growing statewide recognition that the state needs to adopt a procedure based upon an annual priority listing of new and renovation construction projects premised upon established criteria and conditions. This bill sets in place a system in which submitted applications for school building aid are rank ordered in accordance with criteria such as: unsafe conditions; obsolete, inefficient or unacceptable facilities or mechanical and building systems; overcrowding and associated influences to instructional areas and programming; enrollment projections and population shifts; and criteria to determine if a school district has made a reasonable attempt to accommodate maintenance and achieve the design life expectancy of building systems and components. Successful application will complete a rigorous review process involving the department of education, administrative appeal if necessary, the school building authority, and the state board of education. All rules necessary to implement this process shall be adopted pursuant to RSA 541-A. Available resources will determine the number of designated projects to be funded during any one funding cycle. In summary, this bill changes the new and renovation school building aid application and approval process by moving New Hampshire to a priority based model that enables the state to remain in sync with whatever resources are made available in a funding cycle.

Vote 14-0.

Original: House Clerk
Cc: Committee Bill File

Rep. Rick M Ladd
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EDUCATION

HB604, relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick M Ladd for EDUCATION. In 2010, a moratorium was put on school building aid awards in an effort to provide an opportunity to establish needed policy for the review and approval of new and renovation construction, and most importantly, to slow down the long term growth in school building aid costs. There is growing statewide recognition that the state needs to adopt a procedure based upon an annual priority listing of new and renovation construction projects premised upon established criteria and conditions. This bill sets in place a system in which submitted applications for school building aid are rank ordered in accordance with criteria such as: unsafe conditions; obsolete, inefficient or unacceptable facilities or mechanical and building systems; overcrowding and associated influences to instructional areas and programming; enrollment projections and population shifts; and criteria to determine if a school district has made a reasonable attempt to accommodate maintenance and achieve the design life expectancy of building systems and components. Successful application will complete a rigorous review process involving the department of education, administrative appeal if necessary, the school building authority, and the state board of education. All rules necessary to implement this process shall be adopted pursuant to RSA 541-A. Available resources will determine the number of designated projects to be funded during any one funding cycle. In summary, this bill changes the new and renovation school building aid application and approval process by moving New Hampshire to a priority based model that enables the state to remain in sync with whatever resources are made available in a funding cycle. **Vote 14-0.**

Original: House Clerk

Cc: Committee Bill File

HB 604

OTP/A

In 2010, a moratorium was put on school building aid awards in an effort to provide an opportunity to establish needed policy for the review and approval of new and renovation construction, and most importantly, to slow down the long term growth in school building aid costs. There is growing statewide recognition that the state needs to adopt a procedure based upon an annual priority listing of new and renovation construction projects premised upon established criteria and conditions. This bill sets in place a system in which submitted applications for school building aid are rank ordered in accordance with criteria such as: unsafe conditions; obsolete, inefficient or unacceptable facilities or mechanical and building systems; overcrowding and associated influences to instructional areas and programming; enrollment projections and population shifts; and criteria to determine if a school district has made a reasonable attempt to accommodate maintenance and achieve the design life expectancy of building systems and components. Successful application will complete a rigorous review process involving the department of education, administrative appeal if necessary, the school building authority, and the state board of education. All rules necessary to implement this process shall be adopted pursuant to RSA 541-A. Available resources will determine the number of designated projects to be funded during any one funding cycle. In summary, this bill changes the new and renovation school building aid application and approval process by moving New Hampshire to a priority based model that enables the state to remain in sync with whatever resources are made available in a funding cycle.

Rick Ladd

Michael A. Ballou

COMMITTEE REPORT

COMMITTEE: Ed Comm

BILL NUMBER: 604

TITLE: Procedures for approval of plans, specs, and costs of sch building construction or renovation

DATE: 10/25/2011 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.
2778h

STATEMENT OF INTENT:

COMMITTEE VOTE: 14-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,
Rep. Rich Cradd
For the Committee

In 2010, a moratorium was put on school building aid awards in an effort to provide an opportunity to establish needed policy for the review and approval of new and renovation construction, and most importantly, to slow down the long term growth in school building aid costs. There is growing statewide recognition that the state needs to adopt a procedure based upon an annual priority listing of new and renovation construction projects premised upon established criteria and conditions. This bill sets in place a system in which submitted applications for school building aid are rank ordered in accordance with criteria such as: unsafe conditions; obsolete, inefficient or unacceptable facilities or mechanical and building systems; overcrowding and associated influences to instructional areas and programming; enrollment projections and population shifts; and criteria to determine if a school district has made a reasonable attempt to accommodate maintenance and achieve the design life expectancy of building systems and components. Successful applications will complete a rigorous review process involving the department of education, administrative appeal if necessary, the school building authority, and the state board of education. All rules necessary to implement this process shall be adopted pursuant to RSA 541-A. Available resources will determine the number of designated projects to be funded during any one funding cycle. In summary, this bill changes the new and renovation school building aid application and approval process by moving New Hampshire to a priority based model that enables the state to remain in sync with whatever resources are made available in a funding cycle.

CONSENT CALENDAR

March 21, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on FINANCE to which was referred HB604,

AN ACT relative to the procedures for approval of plans,
specifications, and costs of school building construction or
renovation. Having considered the same, report the same with
the following Resolution: RESOLVED, That it is
INEXPEDIENT TO LEGISLATE.

Rep. Karen C Umberger

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	FINANCE
Bill Number:	HB604
Title:	relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.
Date:	March 21, 2012
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The committee incorporated the requirements for approval of plans, specifications and costs enumerated in HB 604 into HB 533. Therefore this bill is unnecessary and the committee recommended ITL.

Vote 24-0.

Rep. Karen C Umberger
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

FINANCE

HB604, relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation. **INEXPEDIENT TO LEGISLATE.**

Rep. Karen C Umberger for FINANCE. The committee incorporated the requirements for approval of plans, specifications and costs enumerated in HB 604 into HB 533. Therefore this bill is unnecessary and the committee recommended ITL. **Vote 24-0.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Finance

BILL NUMBER: HB604

TITLE: Relative to procedures for approval of plans, specifications + costs of school building construction or renovation

DATE: _____ 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 incorporated the requirements for approval of plans, specifications and costs enumerated in HB604 into HB533. Therefore this bill is unnecessary and the committee recommended ITC.

COMMITTEE VOTE: 24-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Karen C. Umberger
For the Committee

K. C. Umberger

New Hampshire General Court - Bill Status System

Docket of HB604

Docket Abbreviations

Bill Title: relative to the procedures for approval of plans, specifications, and costs of school building construction or renovation.

Official Docket of HB604:

Date	Body	Description
1/24/2011	H	Introduced 1/6/2011 and Referred to Education; HJ 11 , PG. 193
2/9/2011	H	Public Hearing: 2/15/2011 4:00 PM LOB 207
2/18/2011	H	Executive Session: 2/24/2011 1:00 PM LOB 207
2/24/2011	H	Retained in Committee; HC 27 , PG.823
9/15/2011	H	Retained Bill - Subcommittee Work Session: 9/27/2011 10:00 AM LOB 207
9/15/2011	H	Retained Bill - Subcommittee Work Session: 9/29/2011 10:00 AM LOB 207
10/4/2011	H	Retained Bill - Executive Session: 10/18/2011 10:00 AM LOB 207 (If Necessary Continued 10/25/2011 10:00 AM LOB 207)
10/26/2011	H	Committee Report: Ought to Pass with Amendment #2778h for Feb 15 (Vote 14-0; CC); HC 11 , PG.683
10/26/2011	H	Proposed Committee Amendment #2011-2778h ; HC 11 , PG.720-721
2/15/2012	H	Amendment #2778h Adopted, VV; HJ 16 , PG.913-914
2/15/2012	H	Ought to Pass with Amendment #2778h: MA VV; HJ 16 , PG.913-914
2/15/2012	H	Referred to Finance; HJ 16 , PG.913-914
2/17/2012	H	==CANCELLED== Public Hearing: 3/8/2012 2:30 PM LOB 210-211
2/21/2012	H	Division II Work Session: 2/23/2012 1:00 PM LOB 209
2/23/2012	H	Executive Session: 3/20/2012 11:00 AM LOB 210-211
3/22/2012	H	Committee Report: Inexpedient to Legislate for Mar 28 (Vote 24-0; CC); HC 25 , PG.1504
3/28/2012	H	Inexpedient to Legislate: MA VV; HJ 30 , PG.1753

NH House

NH Senate