

# Bill as Introduced

HB 122 - AS AMENDED BY THE HOUSE

8Mar2017... 0576h

2017 SESSION

17-0037  
04/03

HOUSE BILL        **122**

AN ACT            relative to withdrawal from a cooperative school district.

SPONSORS:        Rep. J. Belanger, Hills. 27; Rep. Gauthier, Sull. 3

COMMITTEE:      Education

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ANALYSIS

This bill amends the procedure for withdrawal from a cooperative school district.

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                  Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to withdrawal from a cooperative school district.

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

1       1 Cooperative School Districts; Procedure for Withdrawal. Amend RSA 195:25 to read as  
2 follows:

3       195:25 Procedure for ~~[Withdrawal]~~ **Review**.

4       **I.** After the tenth anniversary of the date of operating responsibility, the school board of a  
5 cooperative school district may ~~[undertake a study]~~ **initiate a review** of the feasibility and  
6 suitability of the withdrawal of one or more member districts from the cooperative district. A  
7 similar ~~[study]~~ **review** shall be ~~[undertaken]~~ **initiated** if, after the tenth anniversary of the date of  
8 operating responsibility, a pre-existing district shall, by a majority vote on a warrant article at a  
9 regular or special town meeting, direct the school board **of a cooperative school district** to  
10 ~~[conduct]~~ **initiate** such a ~~[study]~~ **review**. **In either case**, the ~~[study]~~ **review** shall be conducted by  
11 a committee composed of ~~[at least]~~ one member of the school board from each of the pre-existing  
12 districts, one member of the board of selectmen from each town **within the cooperative school**  
13 **district**, and such other members as may be appointed by the committee. **The committee shall**  
14 **have its first meeting no later 60 days following its creation or by the vote at the annual**  
15 **meeting which established the committee.**

16       **II.** Within 180 days ~~[after the date of its formation]~~ **after the committee's first meeting**,  
17 the committee shall report its findings to the state board of education. The committee shall submit  
18 **a report** to the ~~[state board of education either a report that withdrawal is not feasible or suitable,~~  
19 ~~or a report that includes a withdrawal plan prepared in accordance with RSA 195:26]~~ **school board**  
20 **of the cooperative school district**. ~~[If the committee determines that withdrawal is not feasible or~~  
21 ~~suitable, the town which voted to undertake the study may submit a minority report at the same~~  
22 ~~time as the committee report is filed with the state board of education. If the committee report does~~  
23 ~~not include a withdrawal plan, the minority report may include a withdrawal plan prepared in~~  
24 ~~accordance RSA 195:26.]~~ **The report shall indicate whether the withdrawal of one or more**  
25 **towns from the cooperative school district is recommended, not recommended, or whether**  
26 **more time and information are needed to make a determination.**

27       **III.** **If the committee finds that the withdrawal of one or more towns from the**  
28 **cooperative school district is recommended, the committee shall develop a withdrawal**  
29 **plan in accordance with RSA 195:26. The plan shall be submitted to the state board of**  
30 **education no later than November 1. Members of the committee who voted against**  
31 **recommending withdrawal may file a minority report with the state board of education no**

1 *later than November 1.*

2 *IV. If the committee finds that the withdrawal of one or more towns from the*  
3 *cooperative school districts is not recommended, the committee shall file a report with the*  
4 *school board of the cooperative school district and the committee shall be dissolved.*  
5 *Members of the committee who voted to recommend the withdrawal of one or more towns*  
6 *from the cooperative school district may file a minority report with the school board of the*  
7 *cooperative school district.*

8 *V. If the committee finds that more time and information are needed to make a*  
9 *determination, the committee shall reconvene within 30 days of filing its initial report and*  
10 *continue its work. In such a case, the committee shall, within 180 of filing its initial*  
11 *report, file a subsequent report with the school board of the cooperative school district*  
12 *indicating whether the withdraw of one or more towns from the cooperative school district*  
13 *is recommended or not recommended. If the committee finds that the withdrawal of one*  
14 *or more towns from the cooperative school district is not recommended, members of the*  
15 *committee who voted to recommend the withdrawal of one or more towns from the*  
16 *cooperative school district may file a minority report with the school board of the*  
17 *cooperative school district. If the committee finds that the withdrawal of one or more*  
18 *towns from the cooperative school district is recommended, the committee shall develop a*  
19 *withdrawal plan in accordance with RSA 195:26. The plan shall be submitted to the state*  
20 *board of education no later than November 1. Members of the committee who voted*  
21 *against the withdrawal plan and its recommendations may file a minority report with the*  
22 *state board of education no later than November 1.*

23 *VI. If the state board approves [a] the withdrawal plan, whether submitted by the*  
24 *committee or by minority report, the plan shall be submitted to the voters of the cooperative school*  
25 *district in accordance with RSA 195:29.*

26 *2 Effective Date. This act shall take effect 60 days after its passage.*

# Committee Minutes

**Senate Education Committee**  
*Kat Bourque 271-3091*

**HB 122**, relative to withdrawal from a cooperative school district.

**Hearing Date:** March 21, 2017

**Time Opened:** 10:18 a.m.

**Time Closed:** 10:20 a.m.

**Members of the Committee Present:** Senators Reagan, Giuda, Ward, Watters and Kahn

**Members of the Committee Absent :** None

**Bill Analysis:** This bill amends the procedure for withdrawal from a cooperative school district.

**Sponsors:**

Rep. J. Belanger

Rep. Gauthier

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**Who supports the bill:** Barrett Christina (NHSBA), Darryl Perry (Liberty Lobby LLC), Will Anderson, Rep. Wolf

**Who opposes the bill:** Donna Green

**Who is neutral on the bill:** No one

**Summary of testimony presented in support:**

*Senator Reagan*

- Senator Reagan introduced the bill on behalf of Rep. Belanger.
- He stated that there would be a motion to rerefer this bill to the committee, pending the results of the commission being repopulated to decide what to do about the withdrawal from a cooperative school district.

**Summary of testimony presented in opposition :** N/A

**Neutral Information Presented:** N/A

**Future Action:** Re-Referred

KAB

Date Hearing Report completed: March 21, 2017

# Speakers





# Voting Sheets

**Senate Education Committee**  
**EXECUTIVE SESSION RECORD**  
*2017-2018 Session*

Bill # HB 122

Hearing date: 03/21

Executive Session date: 10/10

Motion of: OTP Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Reagan, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Reagan, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: \_\_\_\_\_ Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Reagan, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Kahn

Notes: waiting to see what other leg. comes up.  
Commission

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, March 21, 2017

THE COMMITTEE ON Education

to which was referred HB 122

AN ACT

relative to withdrawal from a cooperative school district.

Having considered the same, the committee recommends that the Bill

BE RE-REFERRED TO COMMITTEE

BY A VOTE OF: 5-0

Senator Bob Giuda  
For the Committee

Kat Bourque 271-3091

**EDUCATION**

**HB 122**, relative to withdrawal from a cooperative school district.

Re-refer to Committee, Vote 5-0.

Senator Bob Giuda for the committee.

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, October 10, 2017

THE COMMITTEE ON Education

to which was referred HB 122

AN ACT

relative to withdrawal from a cooperative school district.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator Jay Kahn  
For the Committee

Kat Bourque 271-3091

EDUCATION

HB 122, relative to withdrawal from a cooperative school district.

Ought to Pass, Vote 4-0.

Senator Jay Kahn for the committee.

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