

Committee Report

CONSENT CALENDAR

March 13, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Education to which was referred HB
493,**

**AN ACT relative to adoption of cooperative school
district budget. Having considered the same, report the
same with the following resolution: RESOLVED, that it
is INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Education
Bill Number:	HB 493
Title:	relative to adoption of cooperative school district budget.
Date:	March 13, 2019
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill provides a method for a cooperative school district to place an article on the warrant for an elected budget committee. This bill also permits a cooperative school district to adopt a local tax cap and apportionment plan for tax purposes. The committee determined that the provisions in this bill are already enabled by existing statute, including the ability for members of the public to petition for such warrant articles.

Vote 19-0.

Rep. David Luneau
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Education

HB 493, relative to adoption of cooperative school district budget. **INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau for Education. This bill provides a method for a cooperative school district to place an article on the warrant for an elected budget committee. This bill also permits a cooperative school district to adopt a local tax cap and apportionment plan for tax purposes. The committee determined that the provisions in this bill are already enabled by existing statute, including the ability for members of the public to petition for such warrant articles. **Vote 19-0.**

COMMITTEE REPORT

Lvna

COMMITTEE: Education

BILL NUMBER: HB 493

TITLE: Relative to adoption of cooperative school district budget.

DATE: 3-13 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:

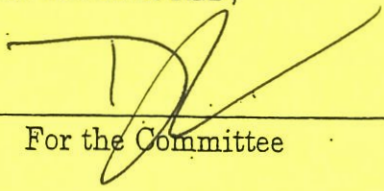
HB 493, ITL
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See Email

COMMITTEE VOTE: 19-0

RESPECTFULLY SUBMITTED,

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

Rep. 
 For the Committee

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 493

BILL TITLE: relative to adoption of cooperative school district budget.

DATE: March 13, 2019

LOB ROOM: 207

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Luneau

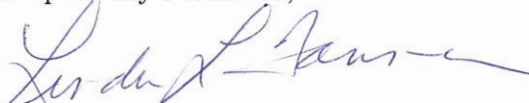
Seconded by Rep. Le

Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Linda Tanner, Clerk

OFFICE OF THE HOUSE CLERK



1/16/2019 11:47:04 AM
Roll Call Committee Registers
Report

2019 SESSION

Education

Bill #: HB493 Motion: ITL AM #: _____ Exec Session Date: March 13, 2019

Relative to adoption of cooperative school district budget.

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Myler, Mel Chairman	19		
Luneau, David J. Vice Chairman	1		
Shaw, Barbara E. <i>Lane</i>	2		
Cornell, Patricia	3		
Doherty, David B.	4		
Le, Tamara N.	5		
Tanner, Linda L. Clerk	6		
Ellison, Arthur S.	7		
Mullen, Sue M.	8		
Riel, Cole J.	9		
Vallone, Mark	10		
Woodcock, Stephen L.	11		
Ladd, Rick M.	12		
Cordelli, Glenn <i>PACKARD</i>	13		
Elliott, Robert J.	14		
Boehm, Ralph G.	15		
Wolf, Dan H.	16		
Allard, James C.	17		
Forsythe, Robert L.			
Lekas, Alicia D.	18		
TOTAL VOTE:	19	0	

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 493

BILL TITLE: relative to adoption of cooperative school district budget.

DATE: January 22, 2019

LOB ROOM: 207

Time Public Hearing Called to Order: 3:26 p. m.

Time Adjourned: 3:30 p. m.

Committee Members: Reps. Myler, Luneau, Tanner, Shaw, Cornell, Doherty, Le, Ellison, Mullen, Riel, Vallone, Woodcock, Ladd, Cordelli, Elliott, Boehm, Allard and A. Lekas

Bill Sponsors:
Rep. Comeau

TESTIMONY

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


(1.) **Rep. Comeau** - Prime sponsor - supports

Clean up lines 3 follow the process to put 25 signatures for warrants.
Easier and clearly to put in petition to for a warrant.

Question: 2nd page new section on a local tax cap?

Ans: Allows the cooperative school district to put in a warrant for a tax cap.

Respectfully submitted:



Rep. Linda Tanner, Clerk

From: LT [mailto:tannerwindom@gmail.com]

Sent: Tuesday, January 22, 2019 3:55 PM

To: Johnston, Judith

Subject: 1/22/19 Notes Ed committee

HB 493

1 Comeau

Clean up lines 3 follow the process to put 25 signatures for warrants

Easier and clearly to put in petition to for a warrant

? 2nd page new section on a local tax cap ans allows the cooperative school district to put in a warrant for a tax cap.

Respectfully submitted Rep. Tanner Committee Clerk

Linda Tanner

“Unless someone like you cares a whole awful lot,

Nothing is going to get better. It's not.”

— **Dr. Seuss, The Lorax**

Bill as
Introduced

HB 493 - AS INTRODUCED

2019 SESSION

19-0528
06/05

HOUSE BILL **493**

AN ACT relative to adoption of cooperative school district budget.

SPONSORS: Rep. Comeau, Carr. 5

COMMITTEE: Education

ANALYSIS

This bill provides a method for a cooperative school district to place an article on the warrant for an elected budget committee. This bill also permits a cooperative school district to adopt a local tax cap.

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 Nineteen

AN ACT relative to adoption of cooperative school district budget.

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

1 Cooperative School Districts; Adoption of Budget. Amend RSA 195:7, I(c) to read as follows:

2 (c) Some other formula offered by the cooperative school board with the board's
3 recommendation, adopted by the cooperative school district *pursuant to RSA 197:6*, and approved
4 by the state board of education.

5 2 Cooperative School Districts; Reconsideration Procedure. Amend RSA 195:8 to read as
6 follows:

7 195:8 Reconsideration Procedure. If a cooperative school district was organized prior to July 1,
8 1963, the basis for the apportionment of all such costs may be subject to review, pursuant to an
9 article for that purpose duly inserted in the warrant *pursuant to RSA 197:6*, for a district meeting
10 to be held at any time after the expiration of the 5-year period measured from the date of the first
11 annual meeting. If the apportionment formula for a cooperative school district has been duly
12 changed, the basis for the apportionment of all such costs may be subject to review, pursuant to an
13 article for that purpose duly inserted in the warrant for a district meeting to be held at any time
14 after the expiration of the 5-year period measured from the date of the meeting at which the last
15 change was made to the cost apportionment formula. In either case, the cooperative school district
16 may then by majority vote elect to apportion all such costs by the adoption of one of the formulas set
17 forth in RSA 195:7, I(a), (b), or (c). Such apportionment may be reviewed in the same manner at
18 any time in order to permit the enlargement of the territory of a school district or an increase in the
19 number of grades for which the district shall be responsible.

20 3 Cooperative School Districts; Composition of Cooperative School Boards. Amend RSA 195:14-
21 a, II to read as follows:

22 II. The question on the adoption of an alternative method of apportioning operating costs
23 shall be proposed as an article in the warrant of the next cooperative school district annual or
24 special meeting pursuant to RSA 195:13 *and RSA 197:6*. A majority of voters present and voting
25 on the question in each city or town in the cooperative school district shall be required to approve
26 the alternative method of apportioning operating costs. Upon approval, the clerk of the cooperative
27 school district shall send to the state board of education a certified copy of the warrant.

28 4 Cooperative School Districts; Budget Committee. Amend RSA 195:12-a, I to read as follows:

29 I. A cooperative school district at an annual meeting, under a proper article *inserted* in the
30 warrant *pursuant to RSA 197:6*, may vote to establish a budget committee pursuant to RSA 32:14
31 and may rescind such action in a like manner. The budget committee shall have the same number

1 of members as the cooperative district school board plus one additional member from the school
 2 board as provided in this paragraph. The terms of office and manner of election of members shall be
 3 determined in the same manner as for the cooperative school board. Whenever it is voted to
 4 establish a budget committee, the moderator in the first instance shall appoint the members of the
 5 budget committee, except for the additional member appointed from the school board, within 15
 6 days of the vote establishing the committee. The members appointed by the moderator shall serve
 7 until the next annual meeting when the meeting shall elect their successors. No member of the
 8 cooperative school board shall be appointed or elected to the budget committee except that the
 9 chairperson of the cooperative school board shall appoint a member of the board to serve on the
 10 budget committee with all the powers and duties of any other member of the committee. After
 11 appointment or election the budget committee shall promptly organize and choose a chairperson,
 12 vice-chairperson, and secretary. The secretary shall keep records of the proceedings of the budget
 13 committee, which shall be public records open to public inspection.

14 5 New Sections; Cooperative School Districts; Local Tax Cap. Amend RSA 195 by inserting
 15 after section 12-a the following new sections:

16 195:12-b Local Tax Cap. Upon adoption under RSA 195:12-c, the following shall apply:

17 I. In a cooperative school district that has adopted this section, the estimated amount of
 18 local taxes to be raised for the fiscal year, as shown on the budget certified by the governing body or
 19 the budget committee and posted with the warrant for the annual meeting pursuant to RSA 195:13
 20 or 197:6, shall not exceed the local taxes raised for the prior year, as shown on the same budget and
 21 adjusted as provided in paragraph II, by more than the tax cap authorized when this section was
 22 adopted.

23 II. If the local taxes raised for the prior year were reduced by any fund balance brought
 24 forward from previous years, the amount of such reduction shall be added back and included in the
 25 amount to which the tax cap is applied under paragraph I.

26 III. The tax cap shall be either a fixed dollar amount or a fixed percentage applied to the
 27 amount of local taxes raised by the district for the prior fiscal year as reported to the department of
 28 revenue administration, subject to adjustment as provided in paragraph II.

29 IV. The legislative body may override the cap by the usual procedures applicable to annual
 30 meetings and deliberative sessions of the legislative body. The provisions of this section shall not
 31 limit the legislative body's authority to increase or decrease the amount of any appropriation or the
 32 total amount of all appropriations.

33 195:12-c Adoption of Local Tax Cap.

34 I. The provisions of RSA 195:12-b may be adopted by any cooperative school district of the
 35 state whose legislative body raises and appropriates funds through an annual meeting. A 3/5
 36 majority of those voting on the question shall be required to adopt the provisions of RSA 195:12-b.
 37 Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.

38 II. The question shall be placed on the warrant of the annual meeting by the governing

1 body or by petition under the procedures set out in RSA 197:6.

2 III. A public hearing shall be held by the local governing body on the question at least 15
3 days, but not more than 30 days, before the question is to be voted on. A public hearing shall be
4 held in each town embraced by the district, none of which shall be held on the same day. Notice of
5 the hearing shall be posted in at least 2 public places in each town of the district, and published in a
6 newspaper of general circulation at least 7 days prior to the date of the hearing.

7 IV. The wording of the question shall be: "Shall we adopt the provisions of RSA 195:12-b,
8 and implement a tax cap whereby the governing body (or budget committee) shall not submit a
9 recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal
10 year's actual amount of local taxes raised, by more than _____ (insert either a fixed dollar amount or
11 a fixed percentage)?"

12 V. Voting on the question shall be by ballot, but the question shall not be placed on the
13 official ballot used to elect officers, except in the case of a legislative body that uses an official ballot
14 form of meeting under RSA 40:13. Polls shall remain open and ballots shall be accepted by the
15 moderator for a period of not less than one hour following the completion of discussion on the
16 question. If a 3/5 majority of those voting on the question vote "yes," RSA 195:12-b shall apply
17 within the cooperative school district beginning with the following fiscal year and for all subsequent
18 years until it is rescinded as provided in paragraph VI.

19 VI. Any cooperative school district which has adopted RSA 195:12-b may consider
20 rescinding its action in the manner described in paragraphs I through V. The wording of the
21 question shall be: "Shall we rescind the provisions of RSA 195:12-b, known as the tax cap, as
22 adopted by the cooperative school district on (date of adoption), so that there will no longer be a
23 limit on increases to the recommended budget in the amount to be raised by local taxes?" A 3/5
24 majority of those voting on the question shall be required to rescind the provisions of this section.
25 Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.

26 6 Effective Date. This act shall take effect 60 days after its passage.