

LEGISLATIVE COMMITTEE MINUTES

**SB144**

# Bill as Introduced

SB 144 - AS INTRODUCED

2019 SESSION

19-1112  
08/06

SENATE BILL

**144**

AN ACT

requiring the lottery commission to notify the department of education about revenue.

SPONSORS:

Sen. Kahn, Dist 10; Sen. Feltes, Dist 15; Sen. Watters, Dist 4

COMMITTEE:

Education and Workforce Development

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ANALYSIS

This bill requires the lottery commission to notify the department of education about revenue received from Keno.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 requiring the lottery commission to notify the department of education about revenue.

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

1       1 New Subparagraph; Operation of Keno Games; Report to Department of Education. Amend  
2 RSA 284:47, II by inserting after subparagraph (b) the following new subparagraph:

3               (c) No later than September 1 of each fiscal year, the lottery commission shall notify the  
4 department of education of the amount of keno revenue which has been deposited in the education  
5 trust fund established in RSA 198:39 in the previous fiscal year.

6       2 Keno; Kindergarten Grants. Amend RSA 198:48-c, III(a) to read as follows:

7               (a) For fiscal year 2020 and each fiscal year thereafter, in addition to any funds received  
8 pursuant to RSA 198:40-a, the department of education shall distribute a total kindergarten grant,  
9 pursuant to RSA 198:40-a, for the remaining 1/2 of each average daily membership not counted  
10 under RSA 198:40-a to each school district or chartered public school that operates an approved full-  
11 day kindergarten program. If the amount of revenue raised through keno, *as reported to the*  
12 *department by the lottery commission under RSA 284:47, II(c)* is insufficient to fully fund the  
13 distribution of grants under this section, the revenue shall be prorated proportionally based on  
14 entitlement among the districts entitled to a grant. The prorated portion of this grant shall not be  
15 less than the per pupil amount disbursed under paragraph I(b).

16       3 Effective Date. This act shall take effect 60 days after its passage.

# Committee Minutes

# SENATE CALENDAR NOTICE

## Education and Workforce Development

Sen Jay Kahn, Chair  
 Sen Jeanne Dietsch, Vice Chair  
 Sen Jon Morgan, Member  
 Sen Ruth Ward, Member  
 Sen David Starr, Member

Date: January 23, 2019

### HEARINGS

Tuesday		01/29/2019
(Day)		(Date)
Education and Workforce Development	LOB 103	9:30 a.m.
(Name of Committee)	(Place)	(Time)
9:30 a.m. <b>SB 136</b>	relative to classification of students for tuition purposes in the university system.	
9:45 a.m. <b>SB 144</b>	requiring the lottery commission to notify the department of education about revenue.	
10:00 a.m. <b>SB 107-FN</b>	relative to extended foster care under the child protection act.	
10:15 a.m. <b>SB 196</b>	relative to non-academic surveys administered by a public school to its students.	
10:45 a.m. <b>SB 65</b>	relative to the start of the school year.	
11:00 a.m. <b>SB 108</b>	relative to eligibility for the governor's scholarship program.	

### EXECUTIVE SESSION MAY FOLLOW

**Sponsors:**

<b>SB 136</b>	Sen. Fuller Clark	Rep. Hatch	Rep. McGuire
Sen. Kahn			
<b>SB 144</b>	Sen. Feltes	Sen. Watters	
Sen. Kahn			
<b>SB 107-FN</b>	Sen. Birdsell	Sen. Carson	Sen. Feltes
Sen. Bradley	Sen. Gray	Sen. Hennessey	Sen. Kahn
Sen. Fuller Clark	Sen. Rosenwald	Sen. Soucy	Sen. Ward
Sen. Morgan	Rep. Rice	Rep. Berrien	
Sen. Watters			

**SB 196**

Sen. Watters  
Sen. Chandley

Sen. Kahn  
Sen. Hennessey

Sen. Levesque  
Rep. Kenney

Sen. Rosenwald

**SB 65**

Sen. Fuller Clark  
Rep. Pantelakos

Sen. Sherman  
Rep. Cali-Pitts

Sen. Hennessey  
Rep. Doucette

Sen. Cavanaugh  
Rep. Ward

**SB 108**

Sen. Fuller Clark

Sen. Kahn

Tricia Melillo 271-3077

Jay Kahn  
Chairman

# Senate Education and Workforce Development Committee

*Tricia Melillo 271-3077*

SB 144, requiring the lottery commission to notify the department of education about revenue.

**Hearing Date:** January 29, 2019

**Members of the Committee Present:** Senators Kahn, Dietsch, Morgan, Ward and Starr

**Members of the Committee Absent :** None

**Bill Analysis:** This bill requires the lottery commission to notify the department of education about revenue received from Keno.

**Sponsors:**

Sen. Kahn

Sen. Feltes

Sen. Watters

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**Who supports the bill:** Senator Kahn, Diana Fenton and Caitlin Davis, Department of Education

**Who opposes the bill:** None

**Who is neutral on the bill:** Charlie McIntyre, NH Lottery Commission

**Summary of testimony presented in support:**

**Senator Kahn**

- At the request of the Department of Education.
- When we funded full day kindergarten one of the funding mechanisms we linked that funding to, was Keno revenues.
- An observation of the department is that they need to know the revenue that they are working with, so they can notify school districts at the start of the school year.
- This bill asks that the lottery commission provide that information by September 1<sup>st</sup> to enable a better communication flow between the department and the school districts.

**Diana Fenton and Caitlin Davis – Department of Education**

- Notification from the lottery is in the second part of the bill.
- The importance is in part C, starting on line 3, where it talks about the DOE being notified by



the lottery.

- Need to clarify that what was deposited in the trust fund from Keno the previous fiscal year is what we will distribute to the schools.
- For fiscal year 19 we distributed \$1100 for every full day kindergarten student.
- We need to clarify the language and this bill does that.
- DOE is required to give school districts an estimate by Oct 1<sup>st</sup> so they can do their budgets, that is why we need a Sept 1<sup>st</sup> deadline.
- Open to changing that deadline as long as we know what the time period is that we are working with.
- This will allow school districts to more accurately predict their budget.
- Senator Morgan asked if they had spoken to the lottery commission about the timing of the report.
  - Yes, we emailed the language and the commissioner is here.
- Senator Kahn asked if she could clarify the funding of kindergarten.
  - The regular adequacy formula we pay for a minimum half day kindergarten is at \$1800 per student and then \$1100 is added per student for full time kindergarten and more if keno revenue provides more.
- Senator Kahn asked if keno is insufficient to provide the \$1100 in 2020 would the amount be reduced to whatever the prorate share is.
  - It will be reduced but it is a minimum of \$1100 per student.

**Summary of testimony presented in opposition: None**

**Neutral Information Presented:**

**Charlie McIntyre -NH Lottery Commissioner**

- The state compels us to transfer the entire year's revenue by June 27<sup>th</sup> of the fiscal year.
- Then we go through an audit by the LBA which is not finished until December.
- We are happy to send over a preliminary number on September 1<sup>st</sup>, but it will be unaudited and that is the only timing issue.
- We are confident in the number, usually it does not change much, but it might not be the exact figure.
- Senator Starr asked if it is correct that the auditor spends six months to get the correct figures but there is not an exact number.
  - Yes, that it correct. They arrive in May and leave in December and bill us \$100,000.
- Senator Starr asked if they get a solid number when they are done.
  - Yes. Sometime in December our books are clear, it is just a log process.
- Senator Kahn asked if the unaudited figure would be available from the lottery commission to give to the DOE by September 1<sup>st</sup>.

- Yes, it would be available on June 27<sup>th</sup> and he has told Commissioner Edelblut. Every month we have to true up our revenues and every time they call for a figure we give it.
- Senator Kahn asked what the keno revenue was in the last fiscal year and what are they projecting for this year.
  - Last fiscal year our revenue was 87.5 million and the profit for Keno was 1.6 million. This year the budget number is 96 million. NH is the number one lottery for growth in New England. Of that 96 million 5.25 million would be Keno profit, give or take. Hesitate to guess what town meetings will do, but what they decide will determine how we do.
- Senator Kahn asked if the 5.25 million is shy of the \$1100 guarantee.
  - I am not sure.

### **Caitlin Davis – Department of Education**

- We need between 10 and 11 million to fund our obligation based on the 220 towns, cities, and charter schools that have full day kindergarten right now. Next year it will likely change again as we are never sure which towns will adopt full day kindergarten.
- Senator Kahn asked what the amount needed would be to reach full funding.
  - 19 million

TM  
Date Hearing Report completed: January 31, 2019

# Speakers





# Voting Sheets

**Senate Education & Workforce Development  
Committee  
EXECUTIVE SESSION RECORD  
2019 Session**

Bill # 144

Hearing date: 1-29-19

Executive Session date: \_\_\_\_\_

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

Committee Member	Present	Made by	Second	Yes	No
Sen. Kahn, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Dietsch, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Morgan	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Starr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

Reported out by: Dietsch

Notes: \_\_\_\_\_

# Committee Report



STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Tuesday, January 29, 2019

THE COMMITTEE ON Education and Workforce Development

to which was referred **SB 144**

AN ACT

requiring the lottery commission to notify the  
department of education about revenue.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Jeanne Dietsch  
For the Committee

This bill provides the Department of Education notice of Keno games revenue by September 1st of each year and defines the basis for keno games revenue distribution as the amount collected in the previous fiscal year. This will allow Department of Education to adequately distribute funds to participating school districts with full day kindergarten.

Tricia Melillo 271-3093

## General Court of New Hampshire - Bill Status System

**Docket of SB144**

Docket Abbreviations

**Bill Title:** requiring the lottery commission to notify the department of education about revenue.*Official Docket of SB144.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/18/2019	S	<b>Introduced</b> 01/03/2019 and Referred to Education and Workforce Development; <b>SJ 4</b>
1/23/2019	S	<b>Hearing:</b> 01/29/2019, Room 103, LOB, 09:45 am; <b>SC 8</b>
2/4/2019	S	Committee Report: Ought to Pass, 02/14/2019; Vote 5-0; CC <b>SC 10</b>
2/14/2019	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 02/14/2019; <b>SJ 5</b>
3/21/2019	H	Introduced 03/20/2019 and referred to Ways and Means <b>HJ 11 P. 70</b>
4/2/2019	H	Public Hearing: 04/10/2019 01:00 pm LOB 202
4/22/2019	H	Full Committee Work Session: 04/23/2019 01:00 pm LOB 202
4/24/2019	H	Executive Session: 04/30/2019 01:30 pm LOB 202
5/1/2019	H	Committee Report: Inexpedient to Legislate for 05/08/2019 (Vote 19-0; CC) <b>HC 23 P. 7</b>
5/8/2019	H	Inexpedient to Legislate: MA VV 05/08/2019 <b>HJ 15 P. 12</b>

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: SB 144

Senate Committee: EDWFD

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

**Bill Hearing Documents: {Legislative Aides}**

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

**Committee Action Documents: {Legislative Aides}**

All amendments considered in committee (including those not adopted):

\_\_\_ - amendment # \_\_\_\_\_    \_\_\_ - amendment # \_\_\_\_\_

\_\_\_ - amendment # \_\_\_\_\_    \_\_\_ - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

**Floor Action Documents: {Clerk's Office}**

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_ - amendment # \_\_\_\_\_    \_\_\_ - amendment # \_\_\_\_\_

\_\_\_ - amendment # \_\_\_\_\_    \_\_\_ - amendment # \_\_\_\_\_

**Post Floor Action: (if applicable) {Clerk's Office}**

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s)

Governor's Veto Message

**All available versions of the bill: {Clerk's Office}**

\_\_\_ as amended by the senate    \_\_\_ as amended by the house

\_\_\_ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

\_\_\_\_\_  
Committee Aide

\_\_\_\_\_  
Date

Senate Clerk's Office RM