

Bill as  
Introduced

HB 152 - AS INTRODUCED

2021 SESSION

21-0319  
06/05

HOUSE BILL

**152**

AN ACT

relative to the apportionment of costs in cooperative school districts.

SPONSORS:

Rep. McGhee, Hills. 27

COMMITTEE:

Education

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ANALYSIS

This bill permits the apportionment formula for a cooperative school district to be subject to review 5 years after an article to continue the current formula was passed.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty One*

AN ACT relative to the apportionment of costs in cooperative school districts.

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

1           1 Cooperative School Districts; Reconsideration of Apportionment Formula. Amend RSA 195:8  
2 to read as follows:

3           195:8 Reconsideration Procedure. If a cooperative school district was organized prior to July 1,  
4 1963, the basis for the apportionment of all such costs may be subject to review, pursuant to an  
5 article for that purpose duly inserted in the warrant for a district meeting to be held at any time  
6 after the expiration of the 5-year period measured from the date of the first annual meeting. If the  
7 apportionment formula for a cooperative school district has been duly changed, **or if an article to**  
8 **continue the current formula has been passed at a district meeting**, the basis for the  
9 apportionment of all such costs may be subject to review, pursuant to an article for that purpose duly  
10 inserted in the warrant for a district meeting to be held at any time after the expiration of the 5-year  
11 period measured from the date of the meeting at which the last change was made to the cost  
12 apportionment formula **or the last article to continue the current formula was passed**. In  
13 either case, the cooperative school district may then by majority vote elect to apportion all such costs  
14 by the adoption of one of the formulas set forth in RSA 195:7, I(a), (b), or (c). Such apportionment  
15 may be reviewed in the same manner at any time in order to permit the enlargement of the territory  
16 of a school district or an increase in the number of grades for which the district shall be responsible.

17           2 Cooperative School Districts; Procedure for Formation. Amend RSA 195:18, III(i) to read as  
18 follows:

19           (i) The method by which the articles of agreement may be amended with the approval of  
20 the board; except that no amendment may permit secession of territory. The provisions adopted  
21 under either subparagraph (e) or (g) above may be subject to review pursuant to an article for that  
22 purpose duly inserted in the warrant for a district meeting which may be held at any time after the  
23 expiration of the 5-year period measured from the date of the first annual meeting. If the  
24 apportionment formula for a cooperative school district has been duly changed, **or if an article to**  
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27 inserted in the warrant for a district meeting which may be held at any time after the expiration of  
28 the 5-year period measured from the date of the meeting at which the last change was made to the  
29 cost apportionment **or the last article to continue the current formula was passed**. However,  
30 such provisions may be amended at any time in order to permit the enlargement of a cooperative

**HB 152 - AS INTRODUCED**

**- Page 2 -**

1 school district or an increase in the number of grades for which the cooperative school district shall  
2 be responsible.

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

CHAPTER 80  
HB 152 - FINAL VERSION

2021 SESSION

21-0319  
06/05

HOUSE BILL            **152**

AN ACT            relative to the apportionment of costs in cooperative school districts.

SPONSORS:        Rep. McGhee, Hills. 27

COMMITTEE:       Education

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CHAPTER 80  
HB 152 - FINAL VERSION

21-0319  
06/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

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30 such provisions may be amended at any time in order to permit the enlargement of a cooperative

**CHAPTER 80**  
**HB 152 - FINAL VERSION**  
**- Page 2 -**

- 1 school district or an increase in the number of grades for which the cooperative school district shall
- 2 be responsible.

80:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 18, 2021

Effective Date: August 17, 2021

# Committee Minutes



**AMENDED  
SENATE CALENDAR NOTICE  
Education**

Sen Ruth Ward, Chair  
Sen Erin Hennessey, Vice Chair  
Sen Denise Ricciardi, Member  
Sen Jay Kahn, Member  
Sen Suzanne Prentiss, Member

Date: April 7, 2021

**HEARINGS**

Tuesday	04/13/2021	
(Day)	(Date)	
Education	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	<b>HB 401</b>	relative to the duty of school superintendents regarding criminal history records checks.
9:10 a.m.	<b>HB 500</b>	relative to reducing school food waste and addressing child hunger.
9:20 a.m.	<b>HB 581</b>	relative to the burden of proof in special education hearings and establishing a committee to study special education IEP and dispute resolution processes.
9:30 a.m.	<b>HB 152</b>	relative to the apportionment of costs in cooperative school districts.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/98146769174>
2. To listen via telephone: Dial(for higher quality, dial a number based on your current location):

1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833

3. Or iPhone one-tap: +13126266799, 98146769174# or +19292056099, 98146769174#

4. Webinar ID: 981 4676 9174

5. To view/listen to this hearing on YouTube, use this link:

<https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPMiWrA>

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:

<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [remotesenate@leg.state.nh.us](mailto:remotesenate@leg.state.nh.us) or call (603-271-6931).

### EXECUTIVE SESSION MAY FOLLOW

**Sponsors:**

**HB 401**

Rep. Mullen

Rep. Myler

**HB 500**

Rep. Loughman

Sen. Sherman-

**HB 581**

Rep. Cordelli

Rep. McLean

**HB 152**

Rep. McGhee

Rep. Allard

Rep. Tanner

Rep. M. Murray

Sen. Ward -

Rep. Verville

Rep. Rouillard

Rep. Cornell

Rep. Woodcock

Rep. Mullen

Rep. Thomas

Sen. Reagan

Rep. M. Murray

Rep. Kenney

Rep. Spillane

Ava Hawkes 271-4151

Ruth Ward  
Chairman

# Senate Education Committee

*Ava Hawkes 271-4151*

**HB 152**, relative to the apportionment of costs in cooperative school districts.

**Hearing Date:** April 13, 2021

**Time Opened:** 11:03 a.m.

**Time Closed:** 11:15 a.m.

**Members of the Committee Present:** Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

**Members of the Committee Absent :** None

**Bill Analysis:** This bill permits the apportionment formula for a cooperative school district to be subject to review 5 years after an article to continue the current formula was passed.

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**Sponsors:**

Rep. McGhee

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**Who supports the bill:** Representative Kat McGhee, Peggy Gilmour, Jim Belanger, Barrett Christina (NHSBA), Drew Mason

**Who opposes the bill:** Alexandra Mennella

**Who is neutral on the bill:** None.

**Summary of testimony presented:**

**Representative Kat McGhee – Hillsborough, District 27**

- Representative McGhee introduced HB 152.
- This is a simple bill which passed the House Education Committee unanimously.
- The cost of a cooperative school district is divided among participating towns under the apportionment formula.
- Under current law, once a formula has been adopted, it can be revisited or reviewed after five years but no sooner.
- If voters in a cooperative school district opt to change the formula, then it stays in force for the next five years.
- This bill proposes a small change to RSA 195:8, which already calls for apportionment calculations to be revisited every five years, so that the trigger is not solely based on changes, but if the formula stays the same.

- An issue kept coming up, before the town moderator, that if we didn't want to change the formula, we weren't allowed to continue it for five years.
- This is a reasonable change.
- The key word in the statement is "change," as, in some cases, change is not required.
- Senator Kahn asked Rep. McGhee if a town had a warrant article that was decided in 2018, what would be the first year that they could consider the distribution formula.
  - Representative McGhee said it would be five years hence.
  - The intention of the bill is to avoid the often contentious discussions that happen around the formula, if the majority of people at the district meeting feel no change is needed.
  - Town moderators asked that she put this bill in.

### **Jim Belanger**

- In support of this bill.
- Former House member.
- Has 40 years of local government experience.
- There is time required to decide if a co-op does or does not need a change, which requires involvement of more than one town.
- Getting committees together, from all towns involved, to meet and coordinate apportionment takes an awful lot of work and time.
- Often times in the past, folks would simply add one dollar to the apportionment formula to fulfill the change requirement.
- This bill is a no brainer. If something is working fine, don't need to change it.
- Though it appears to be an unwritten procedure, even if there is no warrant article, it still has to come up every five years.
- Senator Kahn asked Mr. Belanger if it explicitly says, in statute, that school districts need to bring this up every five years. He also asked if there is a look-back period.
  - Mr. Belanger said it does not explicitly say that. It is unwritten.
  - Yes, he believes there is a look-back period to allow time for study.
  - Bringing it up every year is ridiculous.

# Speakers

# Senate Remote Testify

## Education Committee Testify List for Bill HB152 on 2021-04-13

Support: 5 Oppose: 1 Neutral: 0 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Gilmour, Peggy	Pgilmour@preti.com	603.315.9748	A Member of the Public	Myself	Support	No	4
Mason, Drew	drewmason42@hotmail.com	Not Given	An Elected Official	Myself	Support	No	4
Christina, Barrett M.	Not Given	Not Given	A Lobbyist	New Hampshire School Boards Association	Support	No	4
Mennella, Alexandra	amennella1@protonmail.com	16466109858	A Member of the Public	Myself	Oppose	No	4
McGhee, Kat	kmcghee257@gmail.com	617.791.3166	An Elected Official	Hillsborough 27, Hollis	Support	Yes	4
Belanger, Jim	Jim.blng@gmail.com	603.465.2301	A Member of the Public	Myself	Support	Yes	4

# Testimony

## **Ava Hawkes**

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**From:** Gilmour, Margaret C. <pgilmour@preti.com>  
**Sent:** Saturday, April 10, 2021 9:31 AM  
**To:** Ruth Ward  
**Cc:** Ava Hawkes; Marie Marston  
**Subject:** HB 152

Dear Senator Ward,

I am reaching out to ask for your support of HB 152 which you will hear on Tuesday morning in Education. This bill is a simple change to existing law that will enable cooperative school districts to pass an article of agreement to continue a current five-year cooperative contract without change in order to provide continuity. The bill passed House Education 18-0, and was placed on the Consent Calendar without objection. I live in Hollis, and the voters have asked for this by a very large majority. Please recommend OTP on this easy bill.

Thanks Senator Ward.

Peggy Gilmour

**Peggy C. Gilmour**  
Senior Policy Advisor  
603.410.1599 Tel  
603.315.9748 Cell  
pgilmour@preti.com  
[Bio](#) | [LinkedIn](#) | [pretistrategies.com](#)

**PretISTRATEGIES**  
P.O. Box 1318  
Concord, NH 03302-1318

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## **Ava Hawkes**

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**From:** Jim Belanger <jim.blng@gmail.com>  
**Sent:** Thursday, April 8, 2021 1:54 PM  
**To:** Ruth Ward; Erin Hennessey; Jay Kahn; Denise Ricciardi; Suzanne Prentiss; Ava Hawkes  
**Subject:** HB 152

Let's try this again since the email link on the NH Web site doesn't work.

Committee members. Education committee will be hearing HB 152 next Tuesday.  
I urge you all to vote OTP.

Hon. Jim Bélanger  
Hollis, NH  
[www.belangers.us](http://www.belangers.us)

# Voting Sheets

**Senate Education Committee**  
**EXECUTIVE SESSION RECORD**  
*2020-2021 Session*

Bill # HB152

Hearing date: 4/13/21

Executive Session date: 5/14/21

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Hennessey, VC	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Sen. Ricciardi	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Kahn	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Sen. Prentiss	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	

Motion of: consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Hennessey, VC	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Sen. Kahn	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Prentiss	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

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

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input type="checkbox"/>			<input type="checkbox"/>	
Sen. Hennessey, VC	<input type="checkbox"/>			<input type="checkbox"/>	
Sen. Ricciardi	<input type="checkbox"/>			<input type="checkbox"/>	
Sen. Kahn	<input type="checkbox"/>			<input type="checkbox"/>	
Sen. Prentiss	<input type="checkbox"/>			<input type="checkbox"/>	

Reported out by: Sen. Kahn

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

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Thursday, May 6, 2021

THE COMMITTEE ON Education

to which was referred **HB 152**

AN ACT

relative to the apportionment of costs in  
cooperative school districts.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Jay Kahn  
For the Committee

This bill permits the apportionment formula for a cooperative school district to be reviewed by the public body after the expiration of a five year period measured from the date of the meeting at which the last change was made to the cost apportionment formula. This bill permits school districts to keep their apportionment formula in place, as opposed to being subject to warrant article proposals seeking changes to apportionment formulas annually.

Ava Hawkes 271-4151

FOR THE CONSENT CALENDAR

**EDUCATION**

**HB 152**, relative to the apportionment of costs in cooperative school districts.

Ought to Pass, Vote 5-0.

Senator Jay Kahn for the committee.

This bill permits the apportionment formula for a cooperative school district to be reviewed by the public body after the expiration of a five year period measured from the date of the meeting at which the last change was made to the cost apportionment formula. This bill permits school districts to keep their apportionment formula in place, as opposed to being subject to warrant article proposals seeking changes to apportionment formulas annually.

**Docket of HB152****Bill Title:** relative to the apportionment of costs in cooperative school districts.**Official Docket of HB152.:**

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/4/2021	H	<b>Introduced</b> (in recess of) 01/06/2021 and referred to Education <b>HJ 2 P. 37</b>
3/9/2021	H	Public Hearing: 03/09/2021 11:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/97054508060">https://www.zoom.us/j/97054508060</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/24/2021	H	Committee Report: Ought to Pass (Vote 19-0; CC) <b>HC 18 P. 7</b>
4/7/2021	H	<b>Ought to Pass:</b> MA VV 04/07/2021 <b>HJ 5 P. 9</b>
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 <b>HJ 5 P. 50</b>
4/7/2021	S	Introduced 04/01/2021 and Referred to Education; <b>SJ 11</b>
4/8/2021	S	Remote <b>Hearing:</b> 04/13/2021, 09:30 am; Links to join the hearing can be found in the Senate Calendar; <b>SC 19</b>
5/6/2021	S	Committee Report: Ought to Pass, 05/13/2021; Vote 5-0; CC; <b>SC 23</b>
5/13/2021	S	<b>Ought to Pass:</b> MA, VV; OT3rdg; 05/13/2021; <b>SJ 15</b>
6/11/2021	S	Enrolled Adopted, VV, (In recess 06/10/2021); <b>SJ 19</b>
6/11/2021	H	Enrolled (in recess of) 06/10/2021
6/21/2021	H	Signed by Governor Sununu 06/18/2021; Chapter 80; Eff: 08/17/2021

NH House

NH Senate



# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: HB 152

Senate Committee: Education

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

N/A  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 AK