

**REGULAR CALENDAR**

**March 7, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on Executive Departments and Administration to which was referred HB 1135,**

**AN ACT requiring a performance audit of the department of education, education freedom account program. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.**

**Rep. Tony Lekas**

**FOR THE MAJORITY OF THE COMMITTEE**

## **MAJORITY COMMITTEE REPORT**

Committee:	<b>Executive Departments and Administration</b>
Bill Number:	<b>HB 1135</b>
Title:	<b>requiring a performance audit of the department of education, education freedom account program.</b>
Date:	<b>March 7, 2022</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2022-0847h</b>

### **STATEMENT OF INTENT**

This bill as amended requires the audit division of the Legislative Budget Assistant (LBA) to complete a performance audit of the Department of Education's (DOE) education freedom account program. The amendment moves the effective date out a year to July 2023. The final rules for the program were just approved by the Joint Legislative Committee on Administrative Rules and the final rules do differ from the interim rules. There are also a large number of bills currently under consideration by this legislature that, if passed, would modify the program. The committee received testimony from the Director of the Audit Division of the LBA saying that when auditing the performance of a new program it is best to wait until the program is operational for some amount of time. He indicated that a year would be a minimum but even that might be too short to be meaningful. We also heard testimony that it is best if the audit includes at least a full fiscal year. If the state is to spend the resources of the Audit Division to do the audit and of the DOE to provide information for that audit it should be done in a time frame which will provide useful information. If done too soon it won't be an audit of the actual program as it operates and would operate into the future.

Vote 10-9.

Rep. Tony Lekas  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Executive Departments and Administration

**HB 1135**, requiring a performance audit of the department of education, education freedom account program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tony Lekas for the **Majority** of Executive Departments and Administration. This bill as amended requires the audit division of the Legislative Budget Assistant (LBA) to complete a performance audit of the Department of Education's (DOE) education freedom account program. The amendment moves the effective date out a year to July 2023. The final rules for the program were just approved by the Joint Legislative Committee on Administrative Rules and the final rules do differ from the interim rules. There are also a large number of bills currently under consideration by this legislature that, if passed, would modify the program. The committee received testimony from the Director of the Audit Division of the LBA saying that when auditing the performance of a new program it is best to wait until the program is operational for some amount of time. He indicated that a year would be a minimum but even that might be too short to be meaningful. We also heard testimony that it is best if the audit includes at least a full fiscal year. If the state is to spend the resources of the Audit Division to do the audit and of the DOE to provide information for that audit it should be done in a time frame which will provide useful information. If done too soon it won't be an audit of the actual program as it operates and would operate into the future. **Vote 10-9.**

Original: House Clerk

Cc: Committee Bill File

**REGULAR CALENDAR**

**March 7, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on Executive Departments and Administration to which was referred HB 1135,**

**AN ACT requiring a performance audit of the department of education, education freedom account program. Having considered the same, and being unable to agree with the Majority, report with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Sallie Fellows**

**FOR THE MINORITY OF THE COMMITTEE**

## **MINORITY COMMITTEE REPORT**

Committee:	<b>Executive Departments and Administration</b>
Bill Number:	<b>HB 1135</b>
Title:	<b>requiring a performance audit of the department of education, education freedom account program.</b>
Date:	<b>March 7, 2022</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### **STATEMENT OF INTENT**

The minority supports the bill but opposes the amendment to delay the effective date. The amendment means we won't see the audit until the spring of 2024 or later. Recommended administrative changes can't be made until the 2024-2025 school year, the fourth year of operation. Recommended legislation or rules changes can't be made until the fifth school year, 2025-2026. The analysis of the first two years of enrollment won't be available to help with preparation of the next biennial budget. This program gives income-qualified parents \$4,000 - \$8,000 credit per child, which they can spend or keep on account for use in future years. The contractor will hold all the account balances. The state will give the contractor more than \$8,000,000 this year. Next year the amount will likely be \$16,000,000 or more, and will continue to grow. We have a responsibility to verify that state money is being securely held and appropriately managed, and the program is in compliance with all applicable laws. Due to the cost and uniqueness of the program, we need a Legislative Budget Assistant audit as soon as possible.

Rep. Sallie Fellows  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Executive Departments and Administration

**HB 1135**, requiring a performance audit of the department of education, education freedom account program. **INEXPEDIENT TO LEGISLATE.**

Rep. Sallie Fellows for the **Minority** of Executive Departments and Administration. The minority supports the bill but opposes the amendment to delay the effective date. The amendment means we won't see the audit until the spring of 2024 or later. Recommended administrative changes can't be made until the 2024-2025 school year, the fourth year of operation. Recommended legislation or rules changes can't be made until the fifth school year, 2025-2026. The analysis of the first two years of enrollment won't be available to help with preparation of the next biennial budget. This program gives income-qualified parents \$4,000 - \$8,000 credit per child, which they can spend or keep on account for use in future years. The contractor will hold all the account balances. The state will give the contractor more than \$8,000,000 this year. Next year the amount will likely be \$16,000,000 or more, and will continue to grow. We have a responsibility to verify that state money is being securely held and appropriately managed, and the program is in compliance with all applicable laws. Due to the cost and uniqueness of the program, we need a Legislative Budget Assistant audit as soon as possible.

Original: House Clerk

Cc: Committee Bill File

Rep. T. Lekas, Hills. 37  
February 24, 2022  
2022-0847h  
08/10

**Amendment to HB 1135**

- 1 Amend the bill by replacing section 2 with the following:
- 2
- 3       2 Effective Date. This act shall take effect July 1, 2023.







① EARLIEST MOTION

1/22/2021 9:57:48 AM  
Roll Call Committee Registers Report

22  
2021 SESSION

LEK  
GROTE

Executive Departments and Administration

HB  
Bill #: 1135 Motion: ADPT AMENDMENT AM #: 08474 Exec Session Date: 3-7-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy, Terry Vice Chairman <i>R. RHODES</i>	X		
Sytek, John Clerk		X	
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.		X	
Schuett, Dianne E.		X	
Jeudy, Jean L.		X	
Schmidt, Peter B. <i>HORRIGAN</i>		X	
Schultz, Kristina M. <i>MARSH</i>		X	
Fellows, Sallie D.		X	
Fontneau, Timothy J.		X	
Grote, Jaci L.		X	
O'Brien, Michael B.		X	
<b>TOTAL VOTE:</b>			

*AFSA p. 10*

2



9/3/2021 9:16:04 AM  
Roll Call Committee Registers  
Report

22  
2021 SESSION

PEAR  
LEKAS

Executive Departments and Administration

Bill #: HB 1135 Motion: RECONSIDER AM #: \_\_\_\_\_ Exec Session Date: 3-7-22  
VOTE ON AMEND 0847H

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.		X	
Schuett, Dianne E.		X	
Judy, Jean L.		X	
Schmidt, Peter B. <u>HYDRALGAN</u>		X	
Schultz, Kristina M.		X	
Fellows, Sallie D.		X	
Fontneau, Timothy J.		X	
Grote, Jaci L.		X	
O'Brien, Michael B.		X	
<b>TOTAL VOTE:</b>			



3

9/3/2021 9:16:04 AM  
Roll Call Committee Registers  
Report

RECONSIDERED  
2021 SESSION  
AMENDMENT

*[Handwritten signature]*

Executive Departments and Administration

Bill #: HB 1135 Motion: ADOPT 08474 AM #: \_\_\_\_\_ Exec Session Date: 3-7-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	✓	X	
Schuett, Dianne E.		X	
Jeudy, Jean L.		X	
Schmidt, Peter B.		X	
Schultz, Kristina M.		X	
Fellows, Sallie D.		X	
Fontneau, Timothy J.		X	
Grote, Jaci L.		X	
O'Brien, Michael B.		X	
<b>TOTAL VOTE:</b>			

10-9



4 LAST IN SEQUENCES

2021 SESSION

LEK  
PEACE

Executive Departments and Administration

Bill #: 1135 Motion: OTPA AM #: \_\_\_\_\_ Exec Session Date: 3-7-22  
*LAST*

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Rhodes, Jennifer M. Vice Chairman	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.		X	
Schuett, Dianne E.		X	
Jeudy, Jean L.		X	
Schmidt, Peter B. <i>10/20/2021</i>		X	
Schultz, Kristina M.		X	
Fellows, Sallie D.		X	
Fontneau, Timothy J.		X	
Grote, Jaci L.		X	
O'Brien, Michael B.		X	
<b>TOTAL VOTE:</b>			

10-9

JEB  
MID

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1135

**BILL TITLE:** requiring a performance audit of the department of education,  
education freedom account program.

**DATE:** February 15, 2022

**LOB ROOM:** 302-304                      **Time Public Hearing Called to Order:** 1:00 p.m.

**Time Adjourned:** 1:25 p.m.

**Committee Members:** Reps. McGuire, Sytek, T. Lekas, Alliegro, Bailey, Lanzara, Goley, Jeudy, Schuett, Fontneau, Grote and O'Brien

**Bill Sponsors:**

Rep. Fellows

Rep. Heath

Rep. Ames

Rep. Vail

Rep. Schamberg

Rep. Tanner

Rep. Paige

Sen. Prentiss

**TESTIMONY**

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

**Rep. Fellows**, prime sponsor, introduced the bill and spoke in support. She described her experience with audits while she was with DOE. She said that this program was unlike any other state education aid and she enumerated 5 differences. She was concerned whether money was being spent appropriately and whether only NH residents were getting the aid. She answered Committee questions concerning whether other oversight existed in the original bill, and a sense of those who were those getting EF aid.

**Chris Shea**, Deputy Legislative Budget Assistant spoke as a matter of information He described the performance audit procedure done by the LBA office. He described the roles of the Legislative Performance Audit Oversight Committee and the Fiscal Committee. He took Committee questions about timing and process.



# House Remote Testify

## Executive Departments and Administration Committee Testify List for Bill HB1135 on 2022-02-15

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

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Tentarelli, Liz	Newbury, NH liz6@kenliz.net	A Member of the Public	myself	Support	No	No	2/6/2022 5:33 PM
Selig, Loren	DURHAM, NH zltselig@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 9:25 PM
Burnap, Linda	Wolfeboro, NH 54able@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2022 9:38 PM
Hill, Bonnie	South Sutton, NH hillbonnie@aol.com	A Member of the Public	Myself	Support	No	No	2/9/2022 9:11 AM
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	2/9/2022 10:30 AM
Keeler, Margaret	New London, NH peg5keeler@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2022 10:36 AM
Romero, Dena	Hanover, NH dena.romero@myfairpoint.net	A Member of the Public	Myself	Support	No	No	2/9/2022 11:31 AM
Till, Mary	Derry, NH maryforderry@yahoo.com	A Member of the Public	Myself	Support	No	No	2/10/2022 1:49 PM
Weiner, Stephanie	Lancaster, NH sjweiner03@hotmail.com	A Member of the Public	Myself	Support	No	No	2/11/2022 3:57 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	No	2/11/2022 5:45 PM
Rhoades, Chuck	Dover, NH chuckrhoades@comcast.net	A Member of the Public	Myself	Support	No	No	2/12/2022 8:54 PM
Burns, Scott	Franklin, NH scottaburns.2020@gmail.com	A Member of the Public	Health First Inc	Support	No	No	2/12/2022 9:45 PM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 8:27 AM

McLeod, Kenna	Windham, NH kennamcleod@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2022 2:59 PM
Snell, Stephanie	Windham, NH sassysnell@mac.com	A Member of the Public	Myself	Support	No	No	2/13/2022 3:04 PM
MILLER, ALISON	WINDHAM, NH alisonmiller@yahoo.com	A Member of the Public	Myself	Support	No	No	2/13/2022 6:26 PM
Stuckart, Danyelle	Windham, NH dmstuckart@yahoo.com	A Member of the Public	Myself	Support	No	No	2/13/2022 7:02 PM
Roman, Valerie	Windham, NH Vroman@aol.com	A Member of the Public	Myself	Support	No	No	2/13/2022 7:04 PM
Broshek, Mary Anne	ANDOVER, NH mabandsadie@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 7:57 PM
Martsof, Emma	Windham, NH Emmamartsof@comcast.net	A Member of the Public	Myself	Support	No	Yes	2/13/2022 8:24 PM
Zaenglein, Barbara	AMHERST, NH bzaenglein@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 9:40 PM
Zaenglein, Eric	Amherst, NH henley11@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2022 9:52 PM
Verschueren, James	dover, NH jd.verschueren@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:00 PM
Dickler, Jeffrey	Rindge, NH gsgstriker@aol.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:00 PM
Kalenderian, Marie	Windham, NH mariekalen@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2022 10:07 PM
Kalenderian, David	Windham, NH davekalen@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 12:26 AM
Dinzeo, David	Dover, NH dinz00@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2022 7:36 AM
Kaminski, Marie	Bridgewater, NH Martkam4492@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 7:38 AM
Kaminski, Joseph	Bridgewater, NH Joe.kaminski142@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 7:38 AM
Rouillard, Eleanor	Windham, NH foresthavn@aol.com	A Member of the Public	Myself	Support	No	No	2/14/2022 7:48 AM
Ross, Greer	Windham, NH gcross@burnslev.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:02 AM



Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:30 AM
thompson, julia	durham, NH maple371@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:03 AM
Wilke, Mary	CONCORD, NH wilke.mary@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:27 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:18 AM
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:18 AM
Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:26 AM
Hansen, Lorraine	Rollinsford, NH lhansennh@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:29 AM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/14/2022 10:35 AM
Goggans, Ron	campton, NH rongoggans@gmail.com	An Elected Official	Myself	Support	No	No	2/14/2022 11:08 AM
Spalinger, Daniel	Windham, NH spalind@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/14/2022 11:26 AM
QUISUMBING-KING, Cora	Dover, NH coraq@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2022 11:55 AM
Rettew, Annie	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 1:10 PM
Devane, Melissa	Windham, NH melissa.devane@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 2:02 PM
Campbell, Leonard	Meredith, NH Lsoup03@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 2:18 PM
Azibert, Susan	Windham, NH, NH sazibert@aol.com	A Member of the Public	Myself	Support	No	No	2/14/2022 2:30 PM
Robertson Souter, Catherine	windham, NH catsout@comcast.net	A Member of the Public	Myself	Support	No	No	2/14/2022 2:57 PM
Aronson, Laura	Manchester, NH laura@mlans.net	A Member of the Public	Myself	Support	No	No	2/14/2022 2:57 PM
Baber, Kristine	Dover, NH kmbaber@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 3:45 PM

Hatcher, Phil	Dover, NH phil.hatcher@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 4:17 PM
Kelley, Mary	Dover, NH midgekelly1@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 4:20 PM
Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Neutral	No	No	2/14/2022 4:43 PM
Dunham, Bonnie	MERRIMACK, NH bsdunham12@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 5:49 PM
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:30 PM
Reed, Barbara	North Swanzey, NH BDRreed74@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:37 PM
Mason, Peter	Lebanon, NH petermason68@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:51 PM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 8:51 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 9:28 PM
Istel, Claudia	Acworth, NH cistel79@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2022 10:57 PM
Lewis, Elizabeth	Nashua, NH ecop.lewis@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 6:34 AM
Ellermann, Maureen	Concord, NH ellermannf@aol.com	A Member of the Public	Myself	Support	No	No	2/15/2022 6:36 AM
hatch, sally	Concord, NH sallyhatch@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/15/2022 6:44 AM
Reid, Lucinda	Chichester, NH Cindy_reid27@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:13 AM
Saunderson, George	Loudon, NH saunderson.george@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:20 AM
Cawley, David	Concord, NH dcawley7@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 7:51 AM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	myself	Support	No	No	2/15/2022 8:26 AM
FRIEDRICH, ED	Loudon, NH erfriedrich@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:29 AM

Fraysse, Michael	Epsom, NH mikefraysse@gmail.com	A Member of the Public	Michael Fraysse	Support	No	No	2/15/2022 8:31 AM
stonebanks, sandra	concord, NH sandrastonebanks@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:34 AM
Brackett, Glenn	Hooksett, NH communications@nhaficio.org	A Lobbyist	NH AFL-CIO	Support	No	No	2/15/2022 8:56 AM
Campbell, Karolyn	Epsom, NH kkcampbell43@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:10 AM
Pooler, Kimberly	Concord, NH Kpoolr2214@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2022 9:10 AM
Kingston, Bill	New Castle, NH dc9guy@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2022 10:07 AM
Leavitt, Deborah	Dover, NH daleavitt77@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2022 10:15 AM
Reeves, Rene	Peterborough, NH renerreeves@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:23 AM
Stinson, Benjamin	CONCORD, NH benrkstinson@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 10:42 AM
Smith, Maja	Canterbury, NH majahauck@aol.com	A Member of the Public	Myself	Support	No	No	2/15/2022 11:02 AM
Fisher, Mark	Dover, NH markfisher3340@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 12:47 PM
Raff, Alan	Manchester, NH araff9@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 12:59 PM
Cote, Lois	Manchester, NH lcote06@outlook.com	A Member of the Public	Myself	Support	No	No	2/15/2022 8:58 PM
Woods, Renia	Bow, NH renia.woods1@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2022 11:54 PM

**Archived:** Thursday, May 19, 2022 9:57:05 AM

**From:** Daniel Richardson

**Sent:** Monday, February 14, 2022 10:36:46 AM

**To:** ~House Executive Departments and Administration

**Cc:** Mary Heath; Richard Ames; Suzanne Vail; Tom Schamberg; Linda Tanner; Mark Paige; Suzanne Prentiss; Tom Lanzara

**Subject:** In Opposition to HB 1135 requiring a performance audit of the department of education, education freedom,account program

**Importance:** Normal

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Ref: February 15, 2022 Public Hearing

House Executive Departments and Administration Committee -

I write in opposition to HB 1135. This bill intends a dissecting audit of Dick Hinch's EFA initiative before it even has one year of implementation. Not all EFA FY information is even settled or available by proposed effective date for audit timeframe. This audit represents sponsor's desire to RUSH TO JUDGMENT. Any audit should allow for one year past closing the financial books so valid data is available. Such audit should be delayed until next year's legislative session.

Please find HB 1135 as ITL.

Daniel Richardson, Nashua

HB 1135 - AS INTRODUCED

2022 SESSION

22-2145

08/10

HOUSE BILL **1135**

AN ACT requiring a performance audit of the department of education, education freedom account program.

SPONSORS: Rep. Fellows, Graf. 8; Rep. Heath, Hills. 14; Rep. Ames, Ches. 9; Rep. Vail, Hills. 30; Rep. Schamberg, Merr. 4; Rep. Tanner, Sull. 9; Rep. Paige, Rock. 18; Sen. Prentiss, Dist 5

COMMITTEE: Executive Departments and Administration

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ANALYSIS

This bill requires a performance audit of the department of education, education freedom account program.

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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 Two*

AN ACT                    requiring a performance audit of the department of education, education freedom account program.

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

1            1 Performance Audit; Education Freedom Account Program.

2            I. In addition to any other performance audit requirements, the audit division of the  
3 legislative budget assistant shall complete a performance audit of the department of education,  
4 education freedom account program. The audit shall include, but is not limited to, review of:

5                    (a) Initial and continued eligibility of participants.

6                    (b) Controls for determining qualifying expenditures.

7                    (c) Identification and recovery of ineligible disbursements.

8                    (d) Procedures and controls for transferring funds to the scholarship organization.

9                    (e) Procedures and controls for the phase-out grants.

10                    (f) Public reporting of participation, student outcomes, and expenditures.

11                    (g) Demographics of qualifying applicants by 2020-2021 municipality and state of  
12 residence, grade level, and type and location of educational program, and their 2021-2022  
13 municipality of residence, grade level, and type and location of educational program.

14            II. The legislative budget assistant shall submit the audit scope statement to the legislative  
15 performance audit oversight committee for review and approval and submit the final report to the  
16 legislative performance audit oversight committee, the fiscal committee and the legislative oversight  
17 committee established pursuant to RSA 194-F:12.

18            2 Effective Date. This act shall take effect July 1, 2022.