

CONSENT CALENDAR

January 13, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Education to which was referred HB
1521-FN,**

AN ACT requiring the department of education to
provide the house and senate standing committees
responsible for education with written copies of the
laws relative to education. Having considered the
same, report the same with the following amendment,
and the recommendation that the bill **OUGHT TO PASS
WITH AMENDMENT.**

Rep. Linda Tanner

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Education
Bill Number:	HB 1521-FN
Title:	requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.
Date:	January 13, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-0079h

STATEMENT OF INTENT

In prior years, the Department of Education has provided members of the Education Committees and school superintendents with copies of a paper-bound book containing the state's revised statutes annotated pertaining to education. The bill as introduced would continue this practice. The amendment allows for committee members to request the statutes and department rules be provided in other electronic formats.

Vote 16-0.

Rep. Linda Tanner
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Education

HB 1521-FN, requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Tanner for Education. In prior years, the Department of Education has provided members of the Education Committees and school superintendents with copies of a paper-bound book containing the state's revised statutes annotated pertaining to education. The bill as introduced would continue this practice. The amendment allows for committee members to request the statutes and department rules be provided in other electronic formats. **Vote 16-0.**

Rep. Tanner, Sull. 9
January 12, 2022
2022-0079h
08/10

Amendment to HB 1521-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT requiring the department of education to provide the house and senate standing
4 committees responsible for education with copies of the laws and rules relative to
5 education.
6

7 Amend RSA 21-N:4, XI as inserted by section 1 of the bill by replacing it with the following:

8

9 XI. At the beginning of each session of the biennium, providing a physical copy of, a copy on
10 a portable data storage device of, or an Internet link to the New Hampshire education laws
11 annotated and department rules to the house and senate standing committees that oversee
12 education policy, and to make such copy available to all superintendents of New Hampshire schools
13 in any format. A member of the house of representatives or senate may request the New Hampshire
14 education laws annotated and department rules in any format.

Amendment to HB 1521-FN
- Page 2 -

2022-0079h

AMENDED ANALYSIS

This bill requires the department of education to provide the house and senate standing committees responsible for education with either physical copies, digital copies, or a link to an Internet copy of the laws and rules relative to education.

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on Bill # HB 1521

BILL TITLE: Copies of rules and laws
DATE: relative to education
LOB ROOM: 1/13/22
207

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # 2022
0079h
 Interim Study (2nd year) (if offered)
Moved by Rep. Cordelli Seconded by Rep. Woodcock Vote: 16-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)
Moved by Rep. Cordelli Seconded by Rep. Woodcock Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)
Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)
Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? Yes No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____
Rep. Barbara Shaw, Clerk.

Melissa Litchfield
Clerk

OFFICE OF THE HOUSE CLERK



1/10/2022 8:57:50 AM
 Roll Call Committee Registers
 Report

2022 SESSION

Education

Bill #: HB 1521 Motion: Amendment AM #: 2022-0079H Exec Session Date: 1/13/22 16-0

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	16		
Cordelli, Glenn Vice Chairman	1		
Hall, Muriel C. Clerk	15		
Boehm, Ralph G.	2		
Lekas, Alicia D.	3		
Moffett, Michael	4		
Hobson, Deborah L.	5		
Ford, Oliver J.	6		
Soti, Julius F.			
Nelson, Bill G.			
Litchfield, Melissa A.	7		
Myler, Mel <i>Waltz</i>	14		
Luneau, David J.	8		
Cornell, Patricia	9		
Tanner, Linda L.	10		
Ellison, Arthur S.	11		
Mullen, Sue M.			
Woodcock, Stephen L.	12		
Porter, Marjorie A.	13		
TOTAL VOTE:	16	0	



1/10/2022 8:57:50 AM
 Roll Call Committee Registers
 Report

2022 SESSION

2022 Consent 1/13/22
0079 H

Education

Bill #: 1521 FN Motion: OTR A

AM #: _____

Exec Session Date: 16-0

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
	16		
Ladd, Rick M. Chairman			
Cordelli, Glenn Vice Chairman	1		
Hall, Muriel C. Clerk	15		
Boehm, Ralph G.	2		
Lekas, Alicia D.	3		
Moffett, Michael	4		
Hobson, Deborah L.	5		
Ford, Oliver J.	6		
Soti, Julius F.			
Nelson, Bill G.			
Litchfield, Melissa A.	7		
Myler, Mel	9		
Luneau, David J.	8		
Cornell, Patricia	10		
Tanner, Linda L.	11		
Ellison, Arthur S.	12		
Mullen, Sue M.			
Woodcock, Stephen L.	13		
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Amendment to HB 1521-FN
- Page 2 -

2022-0079h

AMENDED ANALYSIS

This bill requires the department of education to provide the house and senate standing committees responsible for education with either physical copies, digital copies, or a link to an Internet copy of the laws and rules relative to education.

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 1521-FN

BILL TITLE: requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

DATE: January 12, 2022

LOB ROOM: 207

Time Public Hearing Called to Order: 9:05am

Time Adjourned: 9:43am

Committee Members: Reps. Ladd, Cordelli, Boehm, A. Lekas, Moffett, Hobson, Ford, Soti, B. Nelson, Litchfield, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Woodcock, Hall and Porter

Bill Sponsors:

Rep. Tanner
Rep. Van Houten
Rep. Mullen
Rep. J. Schmidt

Rep. Frost
Rep. Fellows
Rep. Myler

Rep. Woodcock
Rep. Ellison
Rep. Cornell

TESTIMONY

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

***Rep. Linda Tanner**

- Prime Sponsor, spoke to her bill which would require DOE to provide the legislature with written copies of Education laws.
- She noted that the latest laws I've actually distributed yesterday.

Rep. Boehm

- Mentioned the issue re: using computers during hearings

Rep. Hall

- Asked about using the word "electronic" rather than flash drives?

Rep. Cornell

- Asked if new reps had been "oriented" as to accessing statutes?

Chair Rep. Ladd

- Explained some history on this

Attorney Diana Fenton.- DOE

- Explained that the publisher may not continue to publish the book of statutes.
- She also explained that publishing rules was problematical because of varying expiration dates.

Chair Rep. Ladd

- Also described issues re: rules.

Rep. Walz

- Asked if the state could publish the book

Attorney Fenton

- Said that was a possibility

Rep. Waltz

- Also asked about case law being published.

Rep. Cordelli

- Mentioned Special Education and rules which allow policies to be made without statute behind them.

Attorney Fenton

- Mentioned that Senate Education had the books in the hearing rooms

Rep. Luneau

- Asked about school boards (SAUs) also having copies of the book.

Rep. Mullen

- Asked about updating electronic versions of RSAs.

Attorney Fenton

- Said DOE does not update (answers on-line)

Rep. Porter

- Asked about accessing new EFA language, "Google" is an option

Atty. Fenton

- Added that DOE could help educators re; rule-working precesses.

Respectfully submitted,

Rep. Michelle Litchfield

House Remote Testify

Education Committee Testify List for Bill HB1521 on 2022-01-12

Support: 1 Oppose: 0 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>5</u>
Doherty, David	Pembroke, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Support	No	No	1

Archived: Friday, January 21, 2022 10:03:17 AM
From: [Jan Schmidt](#)
Sent: Monday, January 10, 2022 12:55:00 PM
To: [~House Education Committee](#)
Subject: HB1521 - My testimony as a co-sponsor of this bill
Importance: Normal

Most Honorable Members,

Providing a written copy of the New Hampshire statutes and departmental rules relative to education to the House and Senate standing committees that oversee education policy is something that should have always been done.

Clearly, if just the House Education Committee sees 101 bills concerning education this year alone, there is a great need for the committee members to have a clear understanding of what is current. Also Rules change often without any input from the committees charged with their oversight and may conflict with the coming bills.

This information is essential and I ask that you find HB1521 OTP and put it on consent.

Regards,
Representative Jan Schmidt
Proud Chair of the Nashua Delegation

At [Home: Tesha4@gmail.com](mailto:Tesha4@gmail.com)
11 Pope Circle, Nashua NH 03063
Hillsborough District 28, Ward 1 Nashua

In Concord: Jan.Schmidt@leg.state.nh.us
NH House of Representatives
Labor, Industrial, and Rehabilitative Services Committee
Room 307 Legislative Office Building



HB 1521 Law book

Testimony. HB1521

Sponsor: Representative Linda Tanner, Sullivan District 9 representing the towns of Plainfield, Cornish, Grantham, Croydon, Newport, Springfield, Sunapee, and Unity

I am presently serving my 4th term on the House Education Committee. In the first 3 of those 4 terms I was provided a paper bound book with selected statutes, statutory notes and annotations related to education. As indicated by the publisher, this book included the full Text of Title XV, "education" and incorporated new legislation and amendments as enacted by the General Court in the last regular session. It also included a table containing the sections affected by the new legislation. The annotations close with the opinions, articles and notes of the Attorney General, the NH Bar Journal and the American Law Reports. In addition, the book had a comprehensive cross reference, table of contents, and extensive index. It was a wealth of knowledge!

My educational background and career has been in Education, not law. I was honored and excited to be chosen to serve on House Education. I feel my experience and knowledge of education is an important resource for this committee work. While teaching I often questioned and sometimes objected to the regulations and rules handed down from the State. As a Representative I am now aware of how those rules and regulations are formulated and enacted with more understanding but not without the frustration because of a the lack of connection between what is happening in our schools and what we legislate. Having information is essential to our job from listening to the people who are providing the services and education to having an understanding of the current laws and how they are applied.

As a lawmaker on the Education Committee, I was and still am intimidated by the complexity of language, structure, and procedures of working in the world of laws, education statutes, and Administrative Rules. I appreciate the tutorials from the Department of Education on certain topics like funding but being able to have the annotated law book gave me the opportunity to look through the many education statutes, gain insight to the changes in those laws, and see some of the court opinions. For example, I might look at the whole chapter on Charter Schools and see references to other statutes in other sections. I could see opinions, amendments and how particular laws had changed and when. There are court opinions cited that gave context to the law. The current website just doesn't give me that information or ability to look at parts of the educations laws both as a general overview or a specific section. As someone unfamiliar with the practice of law, I found this book invaluable. I still use the last edition I have from 2018-2019.

As a Representatives, you all know that we have no office, no specific library for our work, and, because of sheer numbers, limited access to research assistance. In order to do our work well, to fully

understand the large body of regulations for Education, and make informed decisions, we must have access to information. We, as legislators, need information based, not just on what we hear from a lobbyist, or receive from a local or national organization, or from people who have a self interest in maintaining or changing a certain statute, but on the law as written. We need information we can gather, explore, examine, and analyze that is at hand, complete, and in a format we can access readily or spend time exploring. That is why I have asked in this bill that what was once a standard practice and courtesy, to provide NH Education Laws Annotated paper bound book to the lawmakers on the House Education Committee (20) and the Senate Education Committee (5) now become a requirement for the Department of Education.

HB 1521-FN - AS INTRODUCED

2022 SESSION

22-2530

08/10

HOUSE BILL ***1521-FN***

AN ACT requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

SPONSORS: Rep. Tanner, Sull. 9; Rep. Frost, Straf. 16; Rep. Woodcock, Carr. 2; Rep. Van Houten, Hills. 45; Rep. Fellows, Graf. 8; Rep. Ellison, Merr. 27; Rep. Mullen, Hills. 7; Rep. Myler, Merr. 10; Rep. Cornell, Hills. 18; Rep. J. Schmidt, Hills. 28

COMMITTEE: Education

ANALYSIS

This bill requires the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

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 Twenty Two

AN ACT requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

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

1 1 New Paragraph; Duties of Commissioner; Department of Education; Current Rules and
2 Statutes. Amend RSA 21-N:4 by inserting after paragraph X the following new paragraph:

3 XI. At the beginning of each session of the biennium providing a written copy of the New
4 Hampshire statutes and departmental rules relative to education to the house and senate standing
5 committees that oversee education policy.

6 2 Effective Date. This act shall take effect 60 days after its passage.

LBA
22-2530
11/23/21

**HB 1521-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2022 through 2025.

AGENCIES CONTACTED:

Department of Education

LBA
22-2530
Amended 2/28/22

**HB 1521-FN FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2022-0079h)**

AN ACT requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as amended by the House, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2022 through 2025.

AGENCIES CONTACTED:

Department of Education