

LEGISLATIVE COMMITTEE MINUTES

HB365

Bill as Introduced

HB 365 - AS INTRODUCED

2023 SESSION

23-0281

02/05

HOUSE BILL **365**

AN ACT relative to a statewide facility condition assessment for school buildings.

SPONSORS: Rep. Ladd, Graf. 5

COMMITTEE: Education

ANALYSIS

This bill encourages school districts to provide the department of education with long range capital improvement program outlines.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to a statewide facility condition assessment for school buildings.

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

1 1 School Building Aid; Grant for School Construction.. Amend RSA 198:15-a, V to read as
2 follows:

3 V. The department of education shall develop and maintain a 10-year school facilities plan of
4 potential school building grant projects. Potential projects shall include, but not be limited to,
5 criteria pursuant to RSA 198:15-c, II(b). The 10-year plan is intended to create a method to identify
6 and enhance school facilities in a safe, healthy, and efficient manner while providing adequate
7 learning environments for New Hampshire's students. The 10-year plan shall be updated every
8 biennium to provide the department a summary of projects and school facility capital expenditures
9 that are anticipated for the next 10 years. ~~[The state board of education shall adopt rules pursuant~~
10 ~~to RSA 541-A relative to this paragraph.]~~ The plan shall identify new construction, renovation, and
11 emergency projects, and describe the overall condition of projects contained in the plan. ***In support***
12 ***of the 10-year plan, it is recommended that each district have in place and provide the***
13 ***department a long-range capital improvement program that identifies school facility***
14 ***goals, provides projected expenditures, and outlines procedures and guidelines to be***
15 ***followed to accomplish goals. Each district is encouraged to review and update the***
16 ***district's anticipated school facility capital improvement plan on a 2-year recurring basis***
17 ***or as needed. The department shall use this information to better plan, prioritize, and***
18 ***project new anticipated capital construction and renovation expenditures relative to the***
19 ***state building aid program. The state board of education shall adopt rules pursuant to***
20 ***RSA 541-A relative to this paragraph.***

21 2 Effective Date. This act shall take effect 60 days after its passage.

HB 365 - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

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CHAPTER 5
HB 365 - FINAL VERSION

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23-0281
02/05

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20 *RSA 541-A relative to this paragraph.*

5:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: April 26, 2023
Effective Date: June 25, 2023

Committee Minutes

SENATE CALENDAR NOTICE

Education

Sen Ruth Ward, Chair
 Sen Carrie Gendreau, Vice Chair
 Sen Timothy Lang, Member
 Sen Suzanne Prentiss, Member
 Sen Donovan Fenton, Member

Date: March 16, 2023

HEARINGS

	Tuesday	03/21/2023
	(Day)	(Date)
Education		Legislative Office Building 101 9:00 a.m.
(Name of Committee)		(Place) (Time)
9:00 a.m. HB 365		relative to a statewide facility condition assessment for school buildings.
9:15 a.m. HB 466		relative to water bottle filling stations in schools.
9:30 a.m. HB 654		relative to the one-year certificate of teaching eligibility.
9:45 a.m. HB 35		requiring student identification cards to include the National Eating Disorders Hotline.
10:00 a.m. HB 501		relative to ages for special education services.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 365

Rep. Ladd

HB 466

Rep. Ladd

Rep. Cordelli

HB 654

Rep. Ladd

Rep. O. Ford

Rep. Myler

Sen. Ward

Sen. Watters

HB 35

Rep. Rung

Rep. Healey

Rep. B. Boyd

Rep. Cannon

Rep. Tanner

Rep. Levesque

Rep. N. Murphy

HB 501

Rep. N. Murphy

Rep. B. Boyd

Rep. Kenney

Rep. Rung

Peter Mulvey 271-4063

Ruth Ward
Chairman

Senate Education Committee

Peter Mulvey 271-4063

HB 365, relative to a statewide facility condition assessment for school buildings.

Hearing Date: March 21, 2023

Time Opened: 9:00 a.m.

Time Closed: 9:11 a.m.

Members of the Committee Present: Senators Ward, Gendreau, Lang, Prentiss and Fenton

Members of the Committee Absent : None

Bill Analysis: This bill encourages school districts to provide the department of education with long range capital improvement program outlines.

Sponsors:

Rep. Ladd

Who supports the bill: Rep. Glenn Cordelli (*Carroll D-7*), Rep. Linda Tanner (*Sullivan D-5*), and Amy Clark (*N.H Department of Education*)

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented:

Madame Chair of the Committee, Senator Ruth Ward, recessed the hearing for HB 365 at 9:01 A.M.

Madame Chair of the Committee, Senator Ruth Ward, reconvened the hearing for HB 365 at 9:06 A.M.

Representative Linda Tanner

Sullivan County – District 5

- Representative Linda Tanner introduced HB 365 on behalf of Representative Rick Ladd.
- HB 365 related to facility condition assessments for public school buildings.
- Rep. Tanner said there were many school buildings that were aging and in need of repair.

- Rep. Tanner shared that Sunapee had an elementary school built over a century ago.
 - Efforts at getting bonds from the State to replace the school had failed to receive a 2/3rd vote from the Town Council.
 - Lack of substantial funds resulted in upgrades being performed intermittently.
 - Rep. Tanner described the situation as a piece-meal process and pointed to the utilization of portable classrooms in her district.
- A State Department engineer had been working with Rep. Ladd to develop public school building aid.

Amy Clark

Administrator For School Safety, Department of Education

- Ms. Clark offered technical assistance to aid in the Committee's understanding of HB 365.
- HB 365 simply recommended for schools to have long-range capital plans in place for their facilities.
- Sen. Fenton asked who was currently responsible for the evaluation of capital improvement for school districts.
 - Ms. Clark shared that each district respectively was responsible for operations, maintenance, and long-term capital planning.
 - Ms. Clark pointed to the Department of Education's Building Aid Program, which provided grants to finance significant construction projects.
 - Building Aid grants were exclusively permitted for full rebuilds and full renovations, not merely repairs or updates.
 - Appropriations were not made for the Building Aid Program in the preceding biennium.
- HB 365 was amended to instruct school districts to have facility assessments so they may improve and contribute to the Department of Education's determination of grant priority.
- Sen Lang noted that there was no explicit direction to submit facility assessments to the Department of Education in HB 365.
- Sen. Lang asked if lines 19 and 20, prescribing the State Board of Education to make rules pursuant to RSA 541-A, would ultimately satisfy the requirement for report submission.
 - Ms. Clark confirmed Sen. Lang's assessment.
- Sen. Ward asked if there were criteria determining what school districts should be evaluating in their facility assessments.
 - Ms. Clark said the industry utilized a Facility Condition Index, which was standard across the country.

- There were ten points of criteria, which included but were not limited to the building envelope, floors, walls, and conveyer systems.
- The school district would hire an engineering firm to conduct the facility condition assessments.

Speakers

SENATE EDUCATION COMMITTEE

Date 03/21/23

Time 9:00 a.m.

Public Hearing on

HB 365

relative to a statewide facility condition assessment for school buildings.

Please check box(es) that apply.

SPEAKING FAVOR **OPPOSED**

NAME (Please print)

REPRESENTING

only if questions

Amy Clark

Dept of Ed

Senate Remote Testify

Education Committee Testify List for Bill ~~HB365~~ on 2023-03-21

Support: 0 Oppose: 0

Voting Sheets

Senate Education Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # *HR 365*

Hearing date: *3/21*

Executive Session date: *3/21*

Motion of: *OTP* Vote: *5-0*

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>				
Sen. Gendreau, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Sen. Lang	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
Sen. Prentiss	<input checked="" type="checkbox"/>				
Sen. Fenton	<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. Gendreau, Vice Chair	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Sen. Lang	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Prentiss	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	
Sen. Fenton	<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"/>				
Sen. Gendreau, Vice Chair	<input type="checkbox"/>				
Sen. Lang	<input type="checkbox"/>				
Sen. Prentiss	<input type="checkbox"/>				
Sen. Fenton	<input type="checkbox"/>				

Reported out by: *Sen. Gendreau*

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, March 22, 2023

THE COMMITTEE ON Education

to which was referred **HB 365**

AN ACT

relative to a statewide facility condition assessment
for school buildings.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Carrie Gendreau
For the Committee

As introduced HB 365 encourages school districts to provide the Department of Education with long range capital improvement program outlines. This bill's intent is to enhance school facility projects and school capital expenditure through recommending that each district has a long range capital improvement plan, which would be reviewed and updated by the district every 2 years, that can be provided to the department of education in order to assess priority and to plan anticipated capital construction and renovation expenditures, relative to the state building aid program.

Peter Mulvey 271-4063

FOR THE CONSENT CALENDAR

EDUCATION

HB 365, relative to a statewide facility condition assessment for school buildings.

Ought to Pass, Vote 5-0.

Senator Carrie Gendreau for the committee.

As introduced HB 365 encourages school districts to provide the Department of Education with long range capital improvement program outlines. This bill's intent is to enhance school facility projects and school capital expenditure through recommending that each district has a long range capital improvement plan, which would be reviewed and updated by the district every 2 years, that can be provided to the department of education in order to assess priority and to plan anticipated capital construction and renovation expenditures, relative to the state building aid program.

General Court of New Hampshire - Bill Status System

Docket of HB365

Docket Abbreviations

Bill Title: relative to a statewide facility condition assessment for school buildings.*Official Docket of HB365.:*

Date	Body	Description
1/9/2023	H	Introduced (in recess of) 01/05/2023 and referred to Education HJ 3 P. 13
1/11/2023	H	Public Hearing: 01/19/2023 11:30 am LOB 205-207
1/25/2023	H	Executive Session: 01/31/2023 09:45 am LOB 205-207
2/7/2023	H	Committee Report: Ought to Pass 01/31/2023 (Vote 20-0; CC) HC 11 P. 4
2/14/2023	H	Ought to Pass: MA VV 02/14/2023 HJ 5
3/7/2023	S	Introduced 02/22/2023 and Referred to Education; SJ 9
3/16/2023	S	Hearing: 03/21/2023, Room 101, LOB, 09:00 am; SC 14
3/22/2023	S	Committee Report: Ought to Pass, 03/30/2023; Vote 5-0; CC; SC 15
3/30/2023	S	Ought to Pass: MA, VV; OT3rdg; 03/30/2023; SJ 12
4/21/2023	S	Enrolled Adopted, VV, (In recess 04/13/2023); SJ 14
4/21/2023	H	Enrolled (in recess of) 04/06/2023
5/2/2023	H	Signed by Governor Sununu 04/26/2023; Chapter 5; Eff: 06/25/23

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 385

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

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

7-31-23

Date

Senate Clerk's Office _____