

Senate Education Committee

Kat Bourque 271-3091

SB 105-FN-LOCAL, relative to emergency school building aid.

Hearing Date: February 7, 2017

Time Opened: 9:00 a.m.

Time Closed: 9:23 a.m.

Members of the Committee Present: Senators Reagan, Ward, Watters and Kahn

Members of the Committee Absent : Senator Giuda

Bill Analysis : This bill amends the suspension of school building aid provisions in HB 2-FN-A-LOCAL of the 2015 legislative session to allow aid for the needed replacement of school building heating and hot water systems.

Sponsors :

Sen. Feltes

Sen. Bradley

Rep. Shurtleff

Who supports the bill: Senator Feltes, Jack Dunn (Concord School District), Joe Boggio (Hinsdale School District), Holly Kennedy (Hinsdale School District), Barrett Christina (NHSBA)

Who opposes the bill: No one

Who is neutral on the bill: Amy Clark (Department of Education)

Summary of testimony presented in support :

Senator Feltes

Prime Sponsor

- This bill clarifies an existing alternative school building aid portion of state law.
- The Public Utilities Commission (PUC) staff and Concord Steam made an agreement that set into motion the state looking at how to transition to an alternative source of heat and hot water. This includes school districts.
- Concord Steam is shutting down on May 31st, so the Concord School District has to find an alternative. The only practical solution is to move to natural gas. If not, there will be no heat or hot water in these schools.
- Concord School District applied for school building aid, but the Fire Department stated that this lack of heat and hot water was not a fire code violation and added that this was not a health and safety issue. Senator Feltes strongly disagrees for reasons and believes that the safety of children is at stake.
- A lack of heat and hot water will affect 4,500 children in the area.
- Senator Feltes believes that the Fire Marshall is wrong and made a poor decision.

- This legislation amends the suspension of school building aid provisions so that the needed replacement of school building heating and hot water systems can take place.
- Senator Watters asked if this legislation would apply to other districts that may have similar issues. Senator Feltes stated that it would.

Jack Dunn

Concord School District

- Mr. Dunn echoed that Concord Steam will shut down by May 31st.
- This affects two elementary schools, a middle school, and a high school.
- This shut down is being controlled by the PUC and it has been declared an emergency.
- Concord School District is Concord Steam's second largest customer.
- Unlike other schools in the state that have oil, natural gas, wood pellets or the like, Concord School District has none of this infrastructure to be able to heat water or generate heat.
- Mr. Dunn stated that this would affect students, staff, and those who use these buildings at night.
- The lead times for a project like this are significant, as they are engineered boilers that cost a lot of money. This takes, on average, sixteen or more weeks.
- This state aid is not a temporary solution but a permanent solution.
- If heat and hot water is lost, this will significantly impact the current school year.
- Mr. Dunn added that the four schools at issue in Concord are emergency shelters for the Red Cross.
- Senator Reagan asked where the district is in the process currently. Mr. Dunn stated that once funding goes through, the hot waters will be put into place. The district is currently spending money that they do not have in order to get this process started.

Summary of testimony presented in opposition : N/A

Neutral Information Presented:

Amy Clark

Department of Education

- For clarification, the Department did send in a fiscal note correction yesterday.
- Concord contacted DOE early on in this process and the Department would have issued emergency building aid had the Fire Marshall's Office deemed there to be imminent danger for the district.
- Ms. Clark praised the early action of the school district in attempting to get these projects started.
- Senator Watters asked if the fiscal note would require more funds. Ms. Clark stated that it would.

- Senator Watters asked if there were other emergency needs at this point that would affect projects for next year. Ms. Clark stated that there was another emergency project approved for \$500,000 for FY 2017 and that it would be another two years before additional appropriations for emergency building aid is needed.
- The first payment due for this project would cost \$2.6 million and the second payment will cost \$.7 million.
- Senator Kahn asked for clarification on the source of these funds. Ms. Clark stated that this is emergency building aid from the general fund and if the money does not get used for these specific situations, the money lapses. Currently, there is an extra \$3 million dollars for these needs.
- Ms. Clark added that to be deemed an emergency project, the threshold is very high. There must be imminent danger.
- Senator Kahn asked about the other projects that have approached the state Fire Marshall's Office. Ms. Clark stated that both Concord and Hinsdale School Districts were denied by the Fire Marshall's Office to apply for this emergency building aid for FY 2017.
- The language changed in this bill is in the hope that Concord will now qualify for the emergency building aid.
- Senator Reagan stated that he wished the bill simply asked for the funding instead of trying to go around the fire code to make the district in imminent danger.

Future Action: Pending

KAB
Date Hearing Report completed: February 8, 2017