Bill as Introduced

HB 1488 – AS INTRODUCED

2012 SESSION

12-2803
04/03

HOUSE BILL *1488*

AN ACT relative to the alternative budget procedure in a school administrative unit.

SPONSORS: Rep. J. Belanger, Hills 5; Rep. Drisko, Hills 5; Rep. Flanagan, Hills 5; Rep. Gargasz, Hills 5; Sen. Luther, Dist 12; Sen. Stiles, Dist 24

COMMITTEE: Education

ANALYSIS

This bill revises the procedures used by school district moderators in adopting the alternative budget procedure in a school administrative unit.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

12-2803
04/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to the alternative budget procedure in a school administrative unit.

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

1 School Administrative Units; Alternative Budget Procedure. Amend RSA 194-C:9-a, I(c) to read as follows:

(c) If a majority of the voters voting in the school districts within the school administrative unit approve the question, then RSA 194-C:9-b shall apply starting with the next annual school district meeting of the school districts within that school administrative unit, and shall continue until rescinded. Each school district moderator shall cause a vote ***by secret ballot*** to be taken, record the number of yeas and nays, and [~~report the results to the secretary of the school administrative unit board who shall accumulate the total vote for all the school districts within the school administrative unit~~] ***announce the result of the vote at the annual meeting. The ballots shall be delivered to the moderator of the school district with the latest chronological annual meeting. The moderator of the latest chronological annual meeting shall record the total number of yeas and nays, announce the results of the final vote on the school administrative unit budget, and deliver the ballots to the secretary of the school administrative unit.*** The secretary of the school administrative unit board shall [~~announce the results and~~] certify the [~~same~~] ***results*** to the department of revenue administration.

2 School Administrative Units; Alternative Budget Procedure. Amend RSA 194-C:9-a, III-IV to read as follows:

III. In order to rescind the adoption of RSA 194-C:9-b, each school district within the school administrative unit shall comply with the petition procedure set forth in RSA 197:6 and upon such compliance, a question shall be placed on the warrant of the next annual school district meeting. The wording of the question shall be: "Shall the voters of the _____ school district within school administrative unit number ____ rescind the adoption of RSA 194-C:9-b, relative to the alternative school administrative unit budget adoption procedure, and adopt the provisions of RSA 194-C:9 as the method for governing the adoption of the school administrative unit budget?" If a majority of the voters voting in the school districts within the school administrative unit approve the question, then the provisions of RSA 194-C:9 shall govern the procedure for adopting the school administrative unit budget in such school administrative unit. Each school district moderator shall cause a ***secret ballot*** vote to be taken, record the number of yeas and nays, and [~~report the results to the secretary of the school administrative unit board who shall accumulate the total vote for all the school districts within the school administrative unit~~] ***announce the result of the vote at the annual meeting. The ballots shall be delivered to the moderator of the school district with***

the latest chronological annual meeting. The moderator of the latest chronological annual meeting shall record the total number of yeas and nays, announce the results of the final vote on the question of adopting the school administrative unit budget, and deliver the ballots to the secretary of the school administrative unit. The secretary of the school administrative unit board shall [~~announce the results and~~] certify the [~~same~~] *results* to the department of revenue administration.

IV. After a vote to adopt or rescind the alternative school administrative unit budget procedure, the secretary of the school administrative unit shall place the ballots and all envelopes or wrapping which had previously contained them in a suitable container showing the contents and the date of the vote. The ballots shall be retained for 60 days from the date of the vote or any recount, unless further preservation is necessary or unless disposal is enjoined by the superior court.

V. Any registered voter who resides in a school district within the school administrative unit may, in writing, petition the secretary of the school administrative unit for a recount of the vote no later than the Friday following the latest chronological annual meeting of school districts in the school administrative unit. The secretary shall schedule a recount, to be conducted by the school administrative unit, not earlier than 5 days nor later than 10 days after the date the secretary receives the petition.

[~~IV.~~] *VI.* For any town which has adopted a charter under RSA 49-D:3, the method of adoption shall be the manner of amending the charter as provided under RSA 49-B.

3 School Administrative Units; Alternative Budget Procedure. Amend RSA 194-C:9-b to read as follows:

194-C:9-b Alternative Budget Procedure.

I. In a school administrative unit composed of 2 or more school districts which has adopted the provisions of RSA 194-C:9-a, the school administrative unit budget adopted according to RSA 194-C:9, I shall be placed before the voters of each school district of that school administrative unit in a separate warrant article at the annual school district meeting. Notwithstanding RSA 32 and RSA 40:13, the budget adopted by the school administrative unit board shall not be amended or changed in any way prior to the vote. Each school district moderator shall cause a vote ***by paper ballot*** to be taken, record the number of yeas and nays, and [~~report the results to the secretary of the school administrative unit board who shall accumulate the total vote for all the school districts within the school administrative unit.~~] ***announce the result of the vote at the annual meeting. The ballots shall be delivered to the moderator of the school district with the latest chronological annual meeting. The moderator of the latest chronological annual meeting shall record the total number of yeas and nays, announce the results of the final vote on the question of adopting the school administrative unit budget, and deliver the ballots to the secretary of the school administrative unit.*** The secretary of the school administrative unit

board shall [~~announce the results and~~] certify the [~~same~~] ***results*** to the department of revenue administration. A majority of voters voting in favor shall result in adoption of the budget proposed by the school administrative unit board. If the article receives less than a majority vote, the budget amount accepted shall be that of the previous year adjusted for continuing contracts. Wording of the warrant article shall be as follows:

"Shall the voters of _____ (name of school district) _____ adopt a school administrative unit budget of $_____ for the forthcoming fiscal year in which $_____ is assigned to the school budget of this school district?

This year's adjusted budget of $_____, with $_____ assigned to the school budget of this school district, will be adopted if the article does not receive a majority vote of all the school district voters voting in this school administrative unit."

II. After a vote on the school administrative unit budget, the secretary of the school administrative unit shall place the ballots and all envelopes or wrapping which had previously contained them in a suitable container showing the contents and the date of the vote. The ballots shall be retained for 60 days from the date of the vote or any recount, unless further preservation is necessary or unless disposal is enjoined by the superior court.

III. Any registered voter who resides in a school district within the school administrative unit may, in writing, petition the secretary of the school administrative unit for a recount of the vote no later than the Friday following the latest chronological annual meeting of school districts in the school administrative unit. The secretary shall schedule a recount, to be conducted by the school administrative unit, not earlier than 5 days nor later than 10 days after the date the secretary receives the petition.

[~~II.~~] *IV.* This section shall not apply to a school administrative unit that includes a city.

4 Effective Date. This act shall take effect upon its passage.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1488 Date 1-20-12

Committee Education

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Rep Lisa Parkas			Dist. #12	✓	
Sen Nancy Stiles			SD 24	✓	

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 1488

BILL TITLE: relative to the alternative budget procedure in a school administrative unit.

DATE: January 20, 2012

LOB ROOM: 207 **Time Public Hearing Called to Order:** 10:30 AM

Time Adjourned: 10:55 AM

(please circle if present)

Committee Members: Reps. Balboni, Boehm, Hutchinson, Ladd, Fleck, St. Cyr, Brosseau, Greemore, Hill, Hoell, Jones, Lauer-Rago, Pitre, Gile, Shaw, Gorman and Frazer

Bill Sponsors: Rep. J. Belanger, Hills 5; Rep. Drisko, Hills 5; Rep. Flanagan, Hills 5; Rep. Gargasz, Hills 5; Sen. Luther, Dist 12; Sen. Stiles, Dist 24

TESTIMONY

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

Testimony for Jim Belanger – Considers it a housekeeping bill. Applies to towns. Changes the method only. RSA 194-C:9 – His experience was a public hearing, then SAU Board voted on the budget and numbers were divided to each school districts. Those individual districts' voters did not have a chance to vote on their budgets. He is the town moderator, but not the school moderator. How do you recount a voice vote? This bill requires a paper ballot – no voice vote. And a secret ballot vote to adopt the winner. Needed a mechanism to read votes to next district, etc. Can ask for a recount with paper ballots – Ballots have to be secured. At the last meeting – The school moderator takes all ballots for final count. Kept for 60 days for possible recounts. You get to vote on budget twice – one for your district – one for SAU. Need bill approved by Governor before the March town meeting. Line 13, page 1 – "SAU budget" – it's really the METHOD of the budget not the actual budget. Asking to pass and execute as is. Response to Rep. Pitre – We need a paper ballot to deal with recounts. Response to Rep. Hill – Secret ballot when this method of voting on budget is originally adopted – one time only – at each school district meeting (all three district counts) in Belanger's districts. Brookline, Hollis and Cooperative School Districts unique district. Numbers are voted up or down – you can't change them. Response to Rep. Greemore – All three districts have to approve of new method at the beginning with a majority vote. Response to Rep. Boehm – The numbers of voters in the biggest towns still the same. Only difference is a paper ballot. **Testimony for Jack Flanagan** – Citizen of Brookline which has a stand alone elementary school district. Have a single vote in each individual school district. Multi-town districts. Rep. Belanger knows the moderating business – supports the bill – This bill is a housekeeping issue. Would like this bill fast tracked to be utilized in March 2012.

Respectfully submitted Kathy Lauer Rago

Kathleen A. Lauer-Rago

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 1488

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Committee Members: Reps. Balboni, Boehm, Hutchinson, Ladd, Fleck, St. Cyr, Brosseau, Greemore, Hill, Hoell, Jones, Lauer-Rago, Pitre, Gile, Shaw, Gorman and Frazer.

Bill Sponsors: Rep. J. Belanger, Hills 5; Rep. Drisko, Hills 5; Rep. Flanagan, Hills 5; Rep. Gargasz, Hills 5; Sen. Luther, Dist 12; Sen. Stiles, Dist 24

TESTIMONY

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

HB 1488 1/20/2012

Testimony of Rep. Jim Belanger – Applies to towns.
Considers it a housekeeping bill. Changes the method only. HB3 experiment was a RSA 194-C:9 – public hearing then SAU 3d voted on the budget & #'s were divided to each school district. Those individual district voters did not have a chance to vote on their budgets. HB3 the town moderator, but not the school moderators.
How do you recount a voice vote? This bill requires a paper ballot – no voice vote. And a secret ballot vote to adopt the warrant article. Needed a mechanism to hand votes to next district, etc
Can ask for a recount w/ paper ballots – Ballots have to be secured.
At the last mtg – The school moderator takes all ballots for final count. – Kept for 60 days for possible recounts.
You get to vote on budget twice – One for your district – one for SAU.
Need bill approved by Governor before the March town mtg.
Line 13 - page 1 – "SAU budget" – it's really the METHOD of the budget not the actual budget.
Asking to pass & Exec as IB.

Resp to Pitre –

We need a paper ballot to deal w/recounts

Resp to Hill –

Secret ballot when this method of voting on budget is originally adopted – one time only – & at each school district mtg (all 3 districts) in Belanger's districts.

Brookline, Hollis & Cooperative School Districts Unique district.

#'s are voted up or down – you can't change them.

Resp to Greenwood –

~~Ballots taken at 1st mtg~~

All 3 districts have to approve of new method at the beginning with a majority vote.

Resp to Boehm –

The #'s of voters in the biggest towns still the same. Only difference is a paper ballot.

Testimony

Rep. Jack Flanagan – which

Citizen of Brookline, has a stand alone elementary school district, ~~Still budget~~

Have a single vote in each individual school district. Multi-town districts.

Rep. Belanger knows the moderating business –

Supports the bill –

This bill is an housekeeping issue. Would like this bill fast tracked to be utilized in March 2012.

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 1488

BILL TITLE: **relative to the alternative budget procedure in a school administrative unit.**

DATE: **January 24, 2012**

LOB ROOM: 207

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: (OTP) OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hill

Seconded by Rep. Shaw

Vote: 16-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 16-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen A. Lauer-Rago, Clerk

Kathy Lauer-Rago

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 1488

BILL TITLE: **relative to the alternative budget procedure in a school administrative unit.**

DATE: **January 24, 2012**

LOB ROOM: 207

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hill

Seconded by Rep. Shaw

Vote: 16-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 16-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen A. Lauer-Rago, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 1488

BILL TITLE: **relative to the alternative budget procedure in a school administrative unit.**

DATE: 1/24/12

LOB ROOM: 207

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: (OTP), OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hill

Seconded by Rep. Shaw

Vote: (Please attach record of roll call vote.) 16-0

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen A. Lauer-Rago, Clerk

OFFICE OF THE HOUSE CLERK 2012 SESSION

EDUCATION

Bill #: HB 1438 Title: Relative to the alternative budget procedure in a school administrative unit.

PH Date: 1/20/12 Exec Session Date: 1/24/12

Motion: OTP Amendment #:

MEMBER	YEAS	NAYS
Balboni, Michael A, Chairman	✓	
Boehm, Ralph G, V Chairman	✓	
~~Hutchinson, Karen K~~	✓	
Ladd, Rick M	✓	
Fleck, Joseph W	✓	
St. Cyr, Jeffrey L	✓	
Brosseau, Charles J	✓	
Greemore, Robert H	✓	
Hill, Gregory	✓	
Hoell, J.R.	absent	
~~Jones, Laura M~~	✓	
Lauer-Rago, Kathleen A, Clerk	✓	
Pitre, Joseph A	✓	
Gile, Mary Stuart	✓	
Shaw, Barbara E	✓	
Gorman, Mary J	✓	
Frazer, June M	✓	
TOTAL VOTE:	16	0

Printed: 1/5/2012

Committee Report

CONSENT CALENDAR

January 26, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on EDUCATION to which was referred HB1488,

AN ACT relative to the alternative budget procedure in a school administrative unit. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Gregory Hill

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**EDUCATION**
Bill Number:	**HB1488**
Title:	**relative to the alternative budget procedure in a school administrative unit.**
Date:	**January 26, 2012**
Consent Calendar:	**YES**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This is an issue prime sponsor Representative Belanger well understands. The bill requires the school district moderator to cause a vote by secret ballot that would determine if budgetary votes for that session will be taken by paper ballot. Paper ballots would allow for recounts.

Vote 16-0.

Rep. Gregory Hill
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EDUCATION

HB1488, relative to the alternative budget procedure in a school administrative unit. **OUGHT TO PASS.**

Rep. Gregory Hill for EDUCATION. This is an issue prime sponsor Representative Belanger well understands. The bill requires the school district moderator to cause a vote by secret ballot that would determine if budgetary votes for that session will be taken by paper ballot. Paper ballots would allow for recounts. **Vote 16-0.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Education

BILL NUMBER: HB 1488

TITLE: Relative to the alternative budget procedure in a school district

DATE: 1/24/12 **CONSENT CALENDAR:** YES ☒ NO ☐

☒ **OUGHT TO PASS**

☐ **OUGHT TO PASS W/ AMENDMENT**

☐ **INEXPEDIENT TO LEGISLATE**

~~☐ INTERIM STUDY (Available only 2nd year of biennium)~~

Amendment No. _____

STATEMENT OF INTENT: prime sponsor

This is an issue, Representative Belanger well understands. ~~The bill allows school district votes to be taken by paper~~

The bill requires the school district moderator to cause a vote by secret ballot that would determine if budgetary votes for that session will be taken by paper ballot. Paper Ballots would allow for recounts.

COMMITTEE VOTE: 16-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. Gregory Hill
For the Committee

Rev. 02/01/07 - Yellow

Blurb – Majority Report

HB 1488 relative to the alternative budget procedure in a school administrative unit.

Consent Calendar 16-0 OTP

This is an issue prime sponsor Representative Belanger well understands. The bill requires the school district moderator to cause a vote by secret ballot that would determine if budgetary votes for that session will be taken by paper ballot. Paper ballots would allow for recounts.

Respectfully submitted,
Rep. Gregory Hill

Michael A. Balboni