CONSENT CALENDAR

March 6, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Education to which was referred HB 168,

AN ACT relative to surety indemnification for career schools. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Glenn Cordelli

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 168**
Title:	**relative to surety indemnification for career schools.**
Date:	**March 6, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

This bill is similar to HB 155 which was retained by the Education Committee. There were questions raised about the change in both bills to the required surety bond for a school being reduced to 10 percent of the annual gross tuition for the school. It was felt that additional investigation as to the correct percentage to ensure student tuition reimbursement in the event of the school closure was needed. Since HB 155 is retained, that bill can be used as the vehicle to find the correct percentage so this bill can be found Inexpedient to Legislate.

Vote 20-0.

Rep. Glenn Cordelli
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Education

HB 168, relative to surety indemnification for career schools. **INEXPEDIENT TO LEGISLATE.** Rep. Glenn Cordelli for Education. This bill is similar to HB 155 which was retained by the Education Committee. There were questions raised about the change in both bills to the required surety bond for a school being reduced to 10 percent of the annual gross tuition for the school. It was felt that additional investigation as to the correct percentage to ensure student tuition reimbursement in the event of the school closure was needed. Since HB 155 is retained, that bill can be used as the vehicle to find the correct percentage so this bill can be found Inexpedient to Legislate. **Vote 20-0.**

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 168

BILL TITLE: relative to surety indemnification for career schools.

DATE: March 6, 2023

LOB ROOM: 205-207

MOTIONS: OUGHT TO PASS

Moved by Rep. Cordelli | Seconded by Rep. A. Lekas | Vote: 10-10

MOTIONS: RETAINED

Moved by Rep. Myler | Seconded by Rep. Tanner | Vote: 10-10

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Cordelli | Seconded by Rep. Myler | Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Arlene Quaratiello, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on Bill # HB 168

BILL TITLE: ... Surety Bonds for Career Schools

DATE: 3/6/23

LOB ROOM: 205-207

MOTION: (Please check one box)

☑ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

Moved by Rep. Cordelli Seconded by Rep. Lekas Vote: 10-10

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☑ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

Moved by Rep. Myler Seconded by Rep. Tanner Vote: 10-10

~~**MOTION: (Please check one box)**~~ withdrawn

☐ OTP ☐ OTP/A ☑ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

~~Moved by Rep.~~ Sanborn Seconded by Rep. Damon Vote: _____

Recess TBA (awaiting report from Director Applebee) + Prime X

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☑ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____ (if offered)

☐ Interim Study (2nd year)

Moved by Rep. Cordelli Seconded by Rep. Myler Vote: 20-0

N/A

CONSENT CALENDAR: ✓ **YES** ____ **NO**

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

Respectfully submitted: Arlene Quarmby

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM
Roll Call Committee Registers Report

2023 SESSION

Education

Bill #: HB 168 Motion: ITL AM #: _____ Exec Session Date: 3/6/23

Members	YEAS	Nays	NV
Ladd, Rick M. Chairman	20		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.	2		
Ford, Oliver J. Clerk	3		
Belcher, Mike S	4		
~~Drye, Margaret M.~~ Notter, Jeanine	5		
McDonnell, Valerie E	6		
Noble, Kristin	7		
Peternel, Katy	8		
Quaratiello, Arlene	9		
Myler, Mel	10		
Cornell, Patricia	11		
Tanner, Linda L.	12		
Luneau, David J.	13		
Ellison, Arthur S.	14		
Woodcock, Stephen L.	15		
~~Hall, Muriel C.~~ ~~Bates~~ Matson, Jen	16		
Balboni, Peggy	17		
Cascadden, Corinne E	18		
Damon, Hope	19		
TOTAL VOTE:	20	0	

OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM
Roll Call Committee Registers Report

2023 SESSION

Education

Bill #: HB1168 Motion: OTP AM #: _____ Exec Session Date: 3/6/23

Members	YEAS	Nays	NV
Ladd, Rick M. Chairman	10		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.	2		
Ford, Oliver J. Clerk	3		
Belcher, Mike S.	4		
~~Drye, Margaret M.~~ Notter, Jeanine	5		
McDonnell, Valerie E.	6		
Noble, Kristin	7		
Peternel, Katy	8		
Quaratiello, Arlene	9		
Myler, Mel		1	
Cornell, Patricia		2	
Tanner, Linda L.		3	
Luneau, David J.		4	
Ellison, Arthur S.		5	
Woodcock, Stephen L.		6	
~~Hall, Muriel C.~~ Morten, Jen		7	
Balboni, Peggy		8	
S Cascadden, Corinne E.		9	
Damon, Hope		10	
TOTAL VOTE:	10	10	

OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM
Roll Call Committee Registers Report

2023 SESSION

Education

Bill #: HB 168 **Motion:** Retain **AM #:** _____ **Exec Session Date:** 3/16/23

Members	YEAS	Nays	NV
Ladd, Rick M. Chairman		10	
Cordelli, Glenn Vice Chairman		1	
Lekas, Alicia D.		2	
Ford, Oliver J. Clerk		3	
Belcher, Mike S.		4	
~~Drye, Margaret M.~~ Notter, Jeanine		5	
McDonnell, Valerie E.		6	
Noble, Kristin		7	
Peternel, Katy		8	
Quaratiello, Arlene		9	
Myler, Mel	1		
Cornell, Patricia	2		
Tanner, Linda L.	3		
Luneau, David J.	4		
Ellison, Arthur S.	5		
Woodcock, Stephen L.	6		
~~Hall, Muriel C.~~ Morton, Jen	7		
Balboni, Peggy	8		
S Cascadden, Corinne E.	9		
Damon, Hope	10		
TOTAL VOTE:	10	10	

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 168

BILL TITLE: **relative to surety indemnification for career schools.**

DATE: **January 11, 2023**

LOB ROOM: **205-207** **Time Public Hearing Called to Order:** **1:05pm**

Time Adjourned: **1:30pm**

Committee Members: Reps. Ladd, Cordelli, O. Ford and A. Lekas Drye, McDonnell, Noble, Peternel, Quaratiello, Cornell, Tanner, Luneau, Ellison Woodcock, Hall, Balboni, Cascadden and Damon

Bill Sponsors:

Rep. Cordelli	**Rep. Jonathan. Smith**	**Rep. Ladd**
Rep. Moffett	**Rep. Pitre**	**Rep. O. Ford**

TESTIMONY

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

Rep. Moffett - Prime Sponsor

- Culinary academy, etc. needs support for regional/NH business development
- *See attached

Steve Appleby

- Career / post secondary schools needed for

Very similar commentary on both bills (HB 168 & HB 155). Possible distinction between schools preparing teachers of a subject and practitioners.

Respectfully submitted,

Rep. Oliver Ford, Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB168 Date: 1/11/23

Committee: EDUCATION

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

Name	Address	Phone	Representing	Pro	Con
Rep Deb Hobson			Rock 14	✓	

House Remote Testify

Education Committee Testify List for Bill HB168 on 2023-01-11

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

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Doherty, David	Pembroke, NH, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/11/2023 9:36 AM

2023 SESSION

23-0557
04/05

HOUSE BILL ***168***

AN ACT relative to surety indemnification for career schools.

SPONSORS: Rep. Cordelli, Carr. 7; Rep. Jonathan. Smith, Carr. 5; Rep. Ladd, Graf. 5; Rep. Moffett, Merr. 4; Rep. Pitre, Straf. 1; Rep. O. Ford, Rock. 3

COMMITTEE: Education

ANALYSIS

This bill amends the requirements for surety bonds obtained by a private postsecondary career school.

- -

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.

HB 168 - AS INTRODUCED

23-0557
04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to surety indemnification for career schools.

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

1 Private Postsecondary Career Schools; Surety Indemnification. Amend RSA 188-G:3, II to read as follows:

II. A private postsecondary career school shall secure a bond in an amount [~~sufficient to reimburse the tuition of any student contract which cannot be fulfilled, and taking into account the number of students or potential students to be reimbursed and the expenses for investigating and processing claims~~] ***equal to at least 10 percent of the annual gross tuition in the year the bond is secured***. The bond shall not be ***for*** less than $10,000. If a school licensed under RSA 188-G:2 should fail to provide the services required in a contract with any entity, as determined by a court of competent jurisdiction, the bond shall be forfeited, and the proceeds distributed by the director in such manner as justice and the circumstances require.

2 Private Postsecondary Career Schools; Surety Indemnification. Amend RSA 188-G:3, IV to read as follows:

IV. For the purposes of this section the forms of indemnification other than a surety bond which may be furnished to the commission for licensure are the following:

(a) An irrevocable letter of credit, maintained for the licensing period as a minimum, issued by a financial institution authorized to do business in New Hampshire in an amount [~~to be determined by the commission with the commission designated as the beneficiary~~] ***equal to at least 10 percent of the annual gross tuition in the year the bond is secured***; or

(b) A term deposit account held in the state treasury, payable to the commission, shall be held in trust for the benefit of students entitled thereto under this section. Said account shall be maintained for the licensing period as a minimum, in an amount [~~determined by the commission~~] ***equal to at least 10 percent of the annual gross tuition in the year the bond is secured***. Any interest shall be paid annually to the appropriate school, unless the term deposit account is activated due to a school closing. Should the licensee for any reason, while not in default, discontinue operation, all moneys on deposit, including any interest, shall be released to the appropriate school subject to the approval of the commission.

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