LEGISLATIVE COMMITTEE MINUTES

HB207

Bill as Introduced

HB 207-FN - AS INTRODUCED

2023 SESSION

23-0044
10/08

HOUSE BILL ***207-FN***

AN ACT relative to school district unanticipated funds.

SPONSORS: Rep. Plett, Hills. 29; Rep. Cushman, Hills. 28

COMMITTEE: Education

ANALYSIS

This bill increases the amount of unanticipated funds for which a school district is required to give notice and hold a public meeting.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0044
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to school district unanticipated funds.

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

1 School Money; Appropriation for Unanticipated Funds Made Available During Year; Amount Increased. Amend RSA 198:20-b, III to read as follows:

III.(a) For unanticipated funds in the amount of [~~$5,000~~] ***$20,000*** or more, the school board shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the meeting is held.

(b) A school board may establish the amount of unanticipated funds required for notice under this subparagraph, provided such amount is less than [~~$5,000~~] ***$20,000***. For unanticipated funds in an amount less than [~~$5,000~~] ***$20,000***, the school board shall post notice of the funds in the agenda and shall include notice in the minutes of the school board meeting in which such funds are discussed. The acceptance of unanticipated funds under this subparagraph shall be made in public session of any regular school board meeting.

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

LBA
23-0044
12/13/22

HB 207-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to school district unanticipated funds.

FISCAL IMPACT: **[ ] State** **[ ] County** **[X] Local** **[ ] None**

	Estimated Increase / (Decrease)			
LOCAL:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Revenue	$0	$0	$0	$0
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill increases the threshold for the requirement for a school board to conduct a public meeting to accept and spend unanticipated revenue from $5,000 to $20,000. Approximately, 114 school districts have the authority to access unanticipated revenue. To the extent this change reduces the number of public hearings required to be conducted, school districts may experience an indeterminable cost savings. Public hearings are primarily done during non-business hours and require district staffing and facility operation expenditures. Therefore, this proposed bill may have an indeterminable decrease on local school district expenditures.

AGENCIES CONTACTED:

Department of Education and New Hampshire Municipal Association

HB 207-FN - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

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AS INTRODUCED

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AGENCIES CONTACTED:

Department of Education and New Hampshire Municipal Association

CHAPTER 38
HB 207-FN - FINAL VERSION

2023 SESSION

23-0044
10/08

HOUSE BILL ***207-FN***

AN ACT relative to school district unanticipated funds.

SPONSORS: Rep. Plett, Hills. 29; Rep. Cushman, Hills. 28

COMMITTEE: Education

ANALYSIS

This bill increases the amount of unanticipated funds for which a school district is required to give notice and hold a public meeting.

Explanation: Matter added to current law appears in ***bold italics.***
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CHAPTER 38
HB 207-FN - FINAL VERSION

23-0044
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to school district unanticipated funds.

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

38:1 School Money; Appropriation for Unanticipated Funds Made Available During Year; Amount Increased. Amend RSA 198:20-b, III to read as follows:

III.(a) For unanticipated funds in the amount of [~~$5,000~~] ***$20,000*** or more, the school board shall hold a prior public hearing on the action to be taken. Notice of the time, place, and subject of such hearing shall be published in a newspaper of general circulation in the relevant municipality at least 7 days before the meeting is held.

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38:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 19, 2023
Effective Date: July 18, 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 28, 2023

HEARINGS

Tuesday	04/04/2023	
(Day)	(Date)	
Education	Legislative Office Building 101	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.		Hearing on proposed Amendment #1225s, relative to the chartered public school joint legislative oversight committee, and relative to chartered public school use of unused district facilities., to **HB 536**, relative to the chartered public school joint legislative oversight committee.
9:15 a.m.	**HB 275-LOCAL**	relative to schools approved for a school tuition program by a school board.
9:30 a.m.	**HB 349**	relative to a special purpose school district for Bridgewater, Hebron, and Groton.
9:45 a.m.	**HB 452**	relative to the department of education procedures for school building aid applications.
10:00 a.m.	**HB 207-FN**	relative to school district unanticipated funds.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 536			
Rep. Tanner	Rep. Wallner	Rep. Luneau	Rep. Massimilla
Rep. Telerski			
HB 275-LOCAL			
Rep. Ladd	Rep. Coulon	Rep. Moffett	Rep. A. Lekas
Rep. Soti	Rep. Hobson	Sen. Ward	Sen. Avard
HB 349			
Rep. Ladd	Rep. Cordelli	Sen. Innis	Sen. Ward
HB 452			
Rep. Ladd	Rep. Cordelli	Sen. Watters	
HB 207-FN			
Rep. Plett	Rep. Cushman		

Peter Mulvey 271-4063

Ruth Ward
Chairman

Senate Education Committee

Peter Mulvey 271-4063

HB 207-FN, relative to school district unanticipated funds.

Hearing Date: April 4, 2023

Time Opened: 11:36 a.m. **Time Closed:** 11:40 a.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill increases the amount of unanticipated funds for which a school district is required to give notice and hold a public meeting.

Sponsors:
Rep. Plett Rep. Cushman

Who supports the bill: Representative Fred Plett (Hillsborough, D-29), Scott Gross (SAU 19), Laura Taylor, and Julie Smith.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented:

Representative Fred Plett

Hillsborough - District 29

- Representative Plett introduced HB 207 and shared that the bill originated as a constituent request from SAU 19.
- HB 207 increased the amount of unanticipated funds requiring a published notice and public hearing from $5,000 to $20,000.
- Anything below $20,000 would still be heard during traditional public school board hearings.

Scott Gross

Business Administrator, SAU 19

- Mr. Gross said HB 207 resolved what he described as a housekeeping issue.
- The unanticipated revenue threshold had not been changed in 18 years.

- Schools across SAU 19 were getting donations in excess of $5,000 and were obligated to hold a public hearing with a notice provided in the newspaper.
- Approximately five or six of those hearings had been held by SAU 19 in the last year alone, some being delayed due to weather or coordination.
- Mr. Gross said the process as it stood presented inefficiencies; projects could be delayed while awaiting access to funds, and hearings had to be coordinated on top of typical school board or selectboard meetings.
- In the event the threshold was raised, school boards would still be required to detail any unanticipated funds in their agenda.

PM
Date Hearing Report completed: April 6, 2023

Speakers

Senate Education Committee
SIGN-IN SHEET

Date: Tuesday, April 4th, 2023 **Time:** 10:00 a.m.

HB 207-FN AN ACT relative to school district unanticipated funds.

Name/Representing *(please print neatly)*

✓ Rep Fred Pleet	Support ☑	Neutral ☐	Oppose ☐	Speaking? Y	Yes ☒	No ☐
✓ Scott Gross SAU 19	Support ☑	Neutral ☐	Oppose ☐	Speaking? Y	Yes ☒	No ☐
Laura Taylor left	Support ☑	Neutral ☐	Oppose ☐	Speaking? X	Yes ☑	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Remote Testify

Education Committee Testify List for Bill HB207 on 2023-04-04

Support: 1 Oppose: 0

Name	Title	Representing	Position
Smith, Julie	A Member of the Public	Myself	Support

Voting Sheets

Senate Education Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # HB 207

Hearing date: 4/4

Executive Session date: 4/11

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

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair				X	
Sen. Gendreau, Vice Chair			X	X	
Sen. Lang		X		X	
Sen. Prentiss				X	
Sen. Fenton				X	

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

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair				X	
Sen. Gendreau, Vice Chair		X		X	
Sen. Lang			X	X	
Sen. Prentiss				X	
Sen. Fenton				X	

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair					
Sen. Gendreau, Vice Chair					
Sen. Lang					
Sen. Prentiss					
Sen. Fenton					

Reported out by: Sen. Gendreau

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, April 5, 2023

THE COMMITTEE ON Education

to which was referred **HB 207-FN**

AN ACT relative to school district unanticipated funds.

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

HB 207 raised the amount of unanticipated funds requiring notice and a public hearing from $5,000 to $20,000. In the event there are unanticipated funds, school boards are required to hold a public hearing, and offer notice on the time, place, and subject of the hearing in a local paper at least a week prior to the date of the hearing. Any contribution larger than $20,000 is held to this requirement, although districts may individually elect to adopt a lower threshold.

Peter Mulvey 271-4063

FOR THE CONSENT CALENDAR

EDUCATION

HB 207-FN, relative to school district unanticipated funds.
Ought to Pass, Vote 5-0.
Senator Carrie Gendreau for the committee.

HB 207 raised the amount of unanticipated funds requiring notice and a public hearing from $5,000 to $20,000. In the event there are unanticipated funds, school boards are required to hold a public hearing, and offer notice on the time, place, and subject of the hearing in a local paper at least a week prior to the date of the hearing. Any contribution larger than $20,000 is held to this requirement, although districts may individually elect to adopt a lower threshold.

General Court of New Hampshire - Bill Status System

Docket of HB207

Docket Abbreviations

Bill Title: relative to school district unanticipated funds.

Official Docket of **HB207.:**

Date	Body	Description
1/3/2023	H	**Introduced** 01/04/2023 and referred to Education
1/5/2023	H	Vacated and Referred to Finance (): MA VV 01/05/2023 **HJ 2** P. 27
1/19/2023	H	Public Hearing: 01/24/2023 01:00 pm LOB 210-211
3/10/2023	H	Executive Session: 03/15/2023 11:00 am LOB 210-211
3/16/2023	H	Committee Report: Ought to Pass 03/16/2023 (Vote 25-0; CC) **HC 16** P. 10
3/22/2023	H	**Ought to Pass**: MA VV 03/22/2023 **HJ 10** P. 16
3/24/2023	S	Introduced 03/23/2023 and Referred to Education; **SJ 12**
3/28/2023	S	**Hearing:** 04/04/2023, Room 101, LOB, 10:00 am; **SC 16**
4/5/2023	S	Committee Report: Ought to Pass, 04/13/2023; Vote 5-0; CC; **SC 17**
4/13/2023	S	**Ought to Pass**: MA, VV; OT3rdg; 04/13/2023; **SJ 13**
5/17/2023	S	Enrolled Adopted, VV, (In recess 05/11/2023); **SJ 15**
5/17/2023	H	Enrolled (in recess of) 05/04/2023
5/24/2023	H	Signed by Governor Sununu 05/19/2023; Chapter 38; Eff: 07/18/2023

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 207-FN **Senate Committee:** Education

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X 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 #_____

X Executive Session Sheet

X 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:

[signature] 7-31-23

Committee Aide **Date**

Senate Clerk's Office AK