

HR 40 - AS INTRODUCED

2026 SESSION

26-3169

07/08

HOUSE RESOLUTION

40

A RESOLUTION urging the legislature to adequately fund public education.

SPONSORS: Rep. Cloutier, Sull. 6; Rep. Damon, Sull. 8; Rep. N. Murphy, Hills. 12; Rep. Vail, Hills. 6; Rep. Woods, Merr. 30; Rep. Ryan, Hills. 4; Rep. O'Rorke, Ches. 7; Rep. Hegner, Hills. 41; Rep. Burton, Straf. 10; Rep. Vallone, Rock. 5; Sen. Prentiss, Dist 5; Sen. Fenton, Dist 10

COMMITTEE: Education Funding

ANALYSIS

This resolution urges the legislature to conform to the judicial branch's holdings in the Claremont series of public education funding cases and to adequately fund public education.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

A RESOLUTION urging the legislature to adequately fund public education.

1 Whereas, in its 1993 and 1997 decisions, in the Claremont series of public school funding cases,
2 the New Hampshire Supreme Court ruled that the New Hampshire Constitution imposes upon the
3 legislature 4 obligations with respect to public K-12 education: (1) define an adequate education; (2)
4 determine its cost; (3) fund it with constitutional taxes; and (4) ensure its delivery through
5 accountability; and

6 Whereas, while the legislature has unjustifiably had reservations as to the court's authority to
7 impose obligations upon a coordinate branch of government, the legislature, in the spirit of comity,
8 has devoted extensive time, energy and public tax dollars to satisfying them; and

9 Whereas, in the most recent of these cases, the judicial branch correctly asserted authority to
10 review the legislature's determinations with respect to its 4 supposed obligations, and to fund
11 education at levels determined by the court; and

12 Whereas, the legislature now deems it necessary to definitively proclaim that the legislature
13 shall conform to the holdings and determinations of the state's supreme judicial authority as to what
14 the state's education funding policies shall be; now, therefore, be it

15 Resolved by the House of Representatives:

16 That the general court has the responsibility and obligation to adequately fund a student's
17 education; and

18 That the general court ought to comply with the judicial branch's findings in the most recent
19 Claremont case.