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Contains: Additional Committee Report for May 25.

HOUSE CALENDAR

TUESDAY, MAY 25

REGULAR CALENDAR

FINANCE

HB 300, making technical corrections to 1999, HB 117. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Jeffrey C. MacGillivray for the Majority of Finance: HB 300 makes important technical corrections to HB 117.

Section 1 changes the language used to calculate additional weights for pupils who receive free or reduced-price meals. The numbers for state aid in spreadsheets available when HB 117 was agreed to by conferees, adopted by the House and Senate, and signed into law do not conform with the language in HB 117. The conferees have stated that they had agreed to the spreadsheet numbers and that the words should be amended to conform to the data. The committee amendment made an additional conforming change not previously identified.

Sections 2 and 6 make changes to parts of HB 117 so that the policy established by the Legislature that adequate education grants be paid directly to school districts be consistent throughout the bill.

Section 8 clarifies that it is the intention of the state to appropriate future funds, when necessary, to reimburse not only municipal hardware and software implementation costs but also administrative costs.

Section 9 provides funding at \$750 per kindergarten pupil for those kindergartens starting in 1998, 1999 and 2000 because they are not yet in the count for education funding. It clarifies that the Springfield town kindergarten will receive \$750 per pupil. The bill also grandfathers in the three existing alternative kindergartens because those pupils are already in the count for HB 117. The cost to the general fund is about \$925,000 per year.

Sections 3 and 7 clarify implementation language. Sections 4 and 5 correct drafting errors.

The committee amendment deleted sections 1 and 3 of the original bill, which dealt with cooperative school districts. The committee felt additional time was needed to consider the full ramifications of these sections. Vote 15-8

Rep. Mary Jane Wallner for the Minority of Finance: The minority is convinced that this bill, especially section 2, represents much more than a simple "technical correction." It is in fact a major policy change from HB 117 which was passed on April 29. Note that the language in section 2 strikes out the word "elementary" student. That seemingly innocuous deletion means a great deal in that it reduces the low income weighting for numerous communities. Experts have told us and Department of Education data bears out that high school students are not applying for reduced or free lunches, even though they are entitled to do so. Thus, including them skews the formula and provides less money to the neediest communities.

1999-1406h

Amendment to HB 300

Proposed by the Committee on Finance

Amend the bill by replacing all after the enacting clause with the following:

1 Definition; "Weighted Pupils." RSA 198:38, VII(d) is repealed and reenacted to read as follows:

(d) Additional weights based on pupils eligible to receive a free or reduced-price meal shall be calculated by multiplying each municipality's elementary average daily membership in residence by the fraction of the district's pupils eligible to receive a free or reduced-price meal multiplied by:

- (1) If less than 12 percent of the district's pupils are eligible to receive a free or reduced-price meal, zero.
- (2) If at least 12 percent but less than 24 percent of the district's pupils are eligible to receive a free or reduced-price meal, 0.5.
- (3) If at least 24 percent of the district's pupils are eligible to receive a free or reduced-price meal, 1.0.

2 Determination of Per Pupil Adequate Education Cost and Adequate Education Grant. Amend RSA 198:40, II and III to read as follows:

II. The weighted average daily membership in residence for each ~~[district]~~ **municipality** shall be calculated by combining the ~~[district's]~~ elementary average daily membership in residence with ~~[its]~~ **the** weighted high school average daily membership in residence, the ~~[district's]~~ average daily membership in residence resulting from educationally disabled children, and the ~~[district's]~~ additional average daily membership in residence resulting from elementary pupils eligible to receive a free or ~~[reduced-price]~~ **reduced-price** meal. The statewide weighted average daily membership in residence of pupils shall be calculated by combining the weighted average daily membership in residence of each ~~[school-district]~~ **municipality** in the state.

III. For each fiscal year, the statewide cost of an adequate education for all pupils shall be calculated by multiplying the average base per pupil cost of an adequate education by the statewide weighted average daily membership in residence of pupils and then adding 70 percent of total statewide ~~[district]~~ transportation costs.

3 New Paragraph; Distribution Schedule of Adequate Education Grant. Amend RSA 198:42 by inserting after paragraph III the following new paragraph:

IV. The governor is authorized to draw a warrant from funds not otherwise appropriated to satisfy the state's obligation under this section.

4 Funding; Adequate Education and Education Financing Commission. Amend RSA 198:49, VII to read as follows:

VII. The commission may request that the legislative facilities committee approve funding for the commission not to exceed ~~[\$300,000]~~ **\$150,000**.

5 Funding; Tax Equity and Efficiency Commission. Amend 1999, 17:55, VIII to read as follows:

VIII. The commission may request that the legislative facilities [~~commission~~] **committee** approve funding for the commission not to exceed [~~\$300,000~~] **\$150,000**.

6 Special Transition Rules. Amend 1999, 17:52, I to read as follows:

I. For the school year 1999/2000, the adequate education grant determined in RSA [~~198:42~~] **198:41** shall be distributed to each [~~municipality~~] **school district or, in the case of a dependent school district, to the city**, from the education trust fund in 4 payments as follows:

(a) [~~On July 1, 1999~~] **On or before July 15, 1999**, and **on** September 1, 1999, 1/8 the total adequate education grant;

(b) On January 1, 2000 and April 1, 2000, 3/8 the total adequate education grant. The department shall certify the amount of each grant to the state treasurer and direct the payment thereof to the [~~municipality~~] **school district or, in the case of a dependent school district, to the city**.

7 New Paragraphs; Special Transition Rules. Amend 1999, 17:52, V to read as follows:

V. Notwithstanding any other provision of law, for any taxpayer required to pay utility property tax directly to the state for deposit in the education trust fund pursuant to RSA 83-F, the selectmen or assessors shall abate the state education property tax amount shown on any tax bill sent to such taxpayer pursuant to RSA 76:11-a, I. **Such abatements shall be exempt from the limitation in RSA 76:6.**

VI. For the school year ending June 30, 2000, adequate education grant moneys received by a school district pursuant to RSA 198:42 shall not be considered unanticipated funds under RSA 198:20-b. School districts may appropriate additional sums for the school year ending June 30, 2000 in accordance with the provisions of 1999, 2 and RSA197:3.

VII. For purposes of all calculations required by RSA 198:38-48, the department of education shall use the best available data.

8 Appropriations. Amend 1999, 17:53, VI to read as follows:

VI. It is the intent of the state to appropriate a sum certain to reimburse municipalities for the costs of additional **administration**, hardware and software necessary to implement the provisions of this act.

9 Kindergarten; Alternative Kindergarten Programs.

I. If a school district implements a public kindergarten program in school years 1998-1999 or 1999-2000, the school district maintaining such a kindergarten program shall receive reimbursement for fiscal year 2000 and fiscal year 2001 at the rate of \$750 per pupil.

II. If a school district implements a public kindergarten program in school year 2000-2001, the school district maintaining such a kindergarten program shall receive reimbursement for fiscal year 2001 at the rate of \$750 per pupil.

III. If the town of Springfield continues to maintain, at public expense, a kindergarten program established prior to school year 1998-1999, it shall receive reimbursement for fiscal year 2000 and each fiscal year thereafter at the rate of \$750 per pupil.

IV. Notwithstanding the repeal of RSA 198:15-n by 1999, 17:58, VIII, the alternative kindergarten programs in the towns of Wentworth, Rumney, and Strafford, which were approved prior to such repeal, may continue to operate as approved alternative kindergarten programs under the provisions of RSA 198:15-n which were in effect prior to April 29, 1999.

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