

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 48-50 with the following:

2

3 48 Transfer; Education Trust Fund. The comptroller shall transfer the following amounts from
4 the education trust fund to the public school infrastructure fund established in RSA 198:15-y:
5 \$1,000,000 on July 1, 2021 and \$1,000,000 on July 1, 2022.

6 49 Public School Infrastructure Fund. Amend RSA 198:15-y to read as follows:

7 198:15-y Public School Infrastructure Fund.

8 I. The general court recognizes that there is a need to provide funding for infrastructure
9 projects for public elementary and secondary schools. Therefore, it is the intent of this chapter to
10 designate certain surplus funds in the 2016-2017 biennial budget to provide grants to fund select
11 school infrastructure projects in accordance with this chapter.

12 II. There is hereby established in the office of the state treasurer the public school
13 infrastructure fund which shall be kept distinct and separate from all other funds and which shall be
14 administered by the department of education. After transferring sufficient funds to the revenue
15 stabilization reserve account to bring the balance of that account to \$100,000,000, the state treasurer
16 shall transfer the remainder of the general fund surplus for fiscal year 2017, as determined by the
17 official audit performed pursuant to RSA 21-I:8, II(a), to the fund. Any earnings on fund moneys
18 shall be added to the fund. All moneys in the fund shall be nonlapsing and continually appropriated.
19 The department of education may retain up to 3 percent of the total annual appropriation of the
20 public school infrastructure fund on or after July 1, 2019, to be used to administer the public school
21 infrastructure program. ~~[Any unexpended or unencumbered balance as of June 30, 2021 shall be
22 transferred to the general fund.]~~

23 III. The governor, in consultation with the public school infrastructure commission, may
24 authorize fund expenditures with approval of the fiscal committee of the general court and the
25 executive council. Funds may be expended for the following purposes:

26 (a) A school building or infrastructure proposal in which the condition of such school
27 building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants
28 or other persons and requires remediation as soon as practicable.

29 (b) A school building or infrastructure proposal in which a structural deficiency in the
30 function or operation of a school building or portion thereof presents a substantial risk to the life or
31 safety of the occupants or other persons and is more than a technical violation of the fire code, and
32 requires remediation as soon as practicable.

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1 (c) Support of fiber optic connections for schools to enhance and improve reliance on
2 Internet technology tools, provided matching funds are available.

3 (d) Funding for the department of safety, division of homeland security and emergency
4 management's school emergency readiness program to improve security in public schools, after the
5 completion of a security assessment, and in consultation with municipal officials.

6 (e) A school building or infrastructure proposal which is necessary to comply with
7 Americans with Disabilities Act (ADA) regulations.

8 (f) ***Energy efficient school buses or other vehicles used for transportation of***
9 ***students.***

10 (g) Other school building or infrastructure needs the governor, in consultation with the
11 public school infrastructure commission, may identify, except for school building aid projects that are
12 otherwise prohibited by law.

13 ***IV. In order for a school to be eligible for a grant from the public school***
14 ***infrastructure fund, the public school infrastructure commission in consultation with the***
15 ***department of education shall determine that the school has a need unmet by federal***
16 ***stimulus funds for the project.***

17 50 Repeal. 2017, 156:72, relative to the prospective repeal of the public school infrastructure
18 fund and commission, is repealed.

Amendment to HB 2-FN-A-LOCAL

1 Amend the bill by replacing sections 116-120 with the following:

2

3 116 New Chapter; New Hampshire Higher Education Merger Assessment Commission
4 (HEMAC). Amend RSA by inserting after chapter 188-H the following new chapter:

5

CHAPTER 188-I

6

NEW HAMPSHIRE HIGHER EDUCATION MERGER ASSESSMENT COMMISSION (HEMAC)

7 188-I:1 Findings. The general court finds that affordable access to public higher education at all
8 levels is essential to the health, welfare, and security of all New Hampshire citizens and to the
9 future vitality of the state. To be effective, public higher education must respond to the changing
10 needs and interests of citizens and employers while ensuring those services remain affordable and
11 accessible. The exploration of a single, well-coordinated system of public higher education at all
12 levels, pursuing the unique and diverse missions of its member institutions, offering seamless access
13 to and between all levels of higher education, adapting to the rapidly evolving challenges facing all of
14 higher education, and governed by a unified board of trustees, may be an efficient and effective
15 means for meeting the needs of the citizens and the state.

16 188-I:2 Purpose. The commission is established to explore, study, and assess the potential for
17 establishing a collaborative and strategic merging of the university system of New Hampshire,
18 established in RSA 187-A, and the community college system of New Hampshire, established in RSA
19 188-F. The goal of the commission shall be to determine if a unified system of public higher
20 education is, in all respects, beneficial to the citizens of New Hampshire, and if so, to recommend
21 legislation to provide for the implementation of a coordinated, comprehensive system of public
22 higher education.

23 188-I:3 Membership.

24 I. The membership of the commission shall be as follows:

25 (a) Four members appointed by the university system of New Hampshire, one of whom
26 shall be the chairperson of the board of trustees and one of whom shall be the chief executive or chief
27 administrator. The additional 2 members shall be selected by the board of trustees.

28 (b) Four members of the community college system of New Hampshire, one of whom
29 shall be the chairperson of the board of trustees and one of whom shall be the chief executive or chief
30 administrator. The additional 2 members shall be selected by the board of trustees.

31 (c) Three members appointed by the governor.

32 II Any vacancy in membership shall be filled in the same manner as the commission

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1 membership originally established.

2 188-I:4 Operation of the Commission.

3 I. The commission shall elect a chairperson and vice-chairperson upon its initial formation.

4 II. Seven members of the commission shall constitute a quorum.

5 III. The commission shall meet at such times and places as it may determine. The
6 chairperson shall call special meetings upon the written request of any 3 commission members or
7 upon the chairperson's motion.

8 IV. Members shall receive no compensation for their services but shall be reimbursed for
9 expenses reasonably incurred by them in the performance of their duties. Legislative members shall
10 receive mileage at the legislative rate for attending to the duties of the commission.

11 188-I:5 Duties of the Commission.

12 I. On or before January 1, 2022, the commission shall recommend legislation, if determined
13 both prudent and necessary, that would result in the merging of the community college system and
14 the university system into a single entity called the "New Hampshire college and university system,"
15 to be effective no later than July 1, 2023. In the development of the proposed legislation, the
16 commission shall address and consider issues including, but not limited to, the following:

17 (a) Changes to the governance structure of public higher education in New Hampshire.

18 (b) Changes to state laws to improve the systems' efficiency and effectiveness.

19 (c) Development of a reasonable time line for implementation of a merged system.

20 (d) Potential synergies and reduction of unnecessary duplication of programs between
21 the systems.

22 (e) Opportunities for sharing best practices and individual efficiencies, building cross-
23 system economies of scale and sharing of resources.

24 (f) College affordability.

25 (g) Collaborative strategies to attract and retain greater proportions of New Hampshire
26 high school graduates entering the systems.

27 (h) In consultation with the commissioner of the department of education, investigating
28 and pursuing opportunities for collaboration and student pathways for New Hampshire high school
29 students.

30 (i) Financial and social impacts of the merging of disparate collective bargaining
31 agreements.

32 (j) Preserving the unique character and educational missions of 2 systems in a merged
33 system.

34 (k) Ensuring that a merged system will not result in the elimination of physical
35 education locations in any one part of the state.

36 (l) Minimizing or eliminating barriers to student transfer between the systems.

37 (m) The contents and recommendations of the "Final Report of the Study Group for Post-

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1 Secondary Education” dated March 19, 2021.

2 (n) Other issues the commission identifies as pertinent to its duties.

3 II. The commission shall use such funds as appropriated to hire necessary consultants as
4 deemed necessary by the commission.

5 III. The commission shall serve as the search committee to select a chancellor once
6 legislation has been submitted, should the commission recommend a single chancellor.

7 188-I:6 Reporting. The commission shall submit interim monthly reports to the public higher
8 education study committee established in RSA 187-A:28-a, the governor, and the chancellors of the
9 university system of New Hampshire and the community college system of New Hampshire, and
10 shall submit a final report by August 31, 2022. Additional copies shall be delivered, on a monthly
11 basis, to the fiscal committee of the general court, the house education committee, and the senate
12 education committee.

13 117 Appropriation. There is hereby appropriated the sum of \$1,500,000 for the biennium ending
14 June 30, 2023 to the New Hampshire higher education merger assessment commission established
15 in RSA 188-I for the purposes established in RSA 188-I. The appropriation shall be nonlapsing for
16 the biennium. The governor is authorized to draw a warrant for said sum out of any money in the
17 treasury not otherwise appropriated.

18 118 Repeal. RSA 188-I, relative to the New Hampshire higher education merger assessment
19 commission, is repealed.

20 119 Effective Date.

21 I. Section 118 of this act shall take effect August 31, 2022.

22 II. The remainder of this act shall take effect upon its passage.

Rep. Heath, Hills. 14
Rep. K. Murray, Rock. 24
Rep. Porter, Hills. 1
March 23, 2021
2021-0988h
05/10

Amendment to HB 2-FN-A-LOCAL

1 1 Dual and Concurrent Enrollment Program; Appropriation. The sums of \$1,500,000 for the
2 fiscal year ending June 30, 2022, and \$1,500,000 for the fiscal year ending June 30, 2023, are hereby
3 appropriated to community college system of New Hampshire for the purpose of funding and
4 administering the dual and concurrent enrollment program under RSA 188-E:26. This
5 appropriation shall be in addition to any other funds appropriated to the community college system
6 of New Hampshire. The governor is authorized to draw a warrant for said sums out of any money in
7 the treasury not otherwise appropriated.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 School Planning Committees; Vacancies. Amend RSA 671:33 to read as follows:

2 671:33 Vacancies.

3 I. Vacancies among members of cooperative or area school planning committees shall be
4 filled by the moderator for the unexpired term.

5 II.(a) The school board shall fill vacancies occurring on the school board, except as provided
6 in subparagraph (b), and in all other district offices for which no other method of filling a vacancy is
7 provided. Appointees of the school board shall serve until the next district election when the voters
8 of the district shall elect a replacement for the unexpired term. In the case of a vacancy of the entire
9 membership of the school board, or if the remaining members are unable, by majority vote, to agree
10 upon an appointment, the selectmen of the town or towns involved shall appoint members by
11 majority vote in convention.

12 (b) In a cooperative school district, the remaining school board members representing
13 the same town or towns as the departed member shall fill a vacancy on the school board, provided
14 that there are at least 2 such members. ***A member-at-large shall also be included as a***
15 ***representative of the same town.*** If there are less than 2 remaining members on the cooperative
16 school board representing the same town or towns as the departed member, or if the remaining
17 members are unable, by majority vote, to agree upon an appointment, the selectmen of the town or
18 towns involved shall fill the vacancy by majority vote in convention. If the selectmen are unable to
19 fill the vacancy then the cooperative school district moderator shall make the appointment. A
20 member appointed to fill a vacancy under this subparagraph shall serve until the next district
21 election when the voters of the district shall elect a replacement for the unexpired term.

22 III. Vacancies in the office of moderator shall be filled by vote at a school meeting or election,
23 provided that, until a replacement is chosen, the school district clerk shall serve as moderator or
24 shall appoint a moderator pro tempore.

25 IV. In a cooperative school district, the remaining budget committee members representing
26 the same town or towns as the departed member shall fill a vacancy on the budget committee,
27 provided that there are at least 2 such members. ***A member-at-large shall also be included as***
28 ***a representative of the same town.*** If there are less than 2 remaining members on the budget
29 committee representing the same town or towns as the departed member, or if the remaining
30 members are unable, by majority vote, to agree upon an appointment, the selectmen of the town or
31 towns involved shall fill the vacancy by majority vote in convention. If the selectmen are unable to
32 fill the vacancy then the cooperative school district moderator shall make the appointment. If the

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1 vacancy is for the cooperative school board representative to the cooperative school district budget
2 committee, such vacancy shall be filled by the cooperative school board. A member appointed to fill a
3 vacancy under this subparagraph shall serve until the next district election when the voters of the
4 district shall elect a replacement for the unexpired term.

UNAPPROVED

Amendment to HB 2-FN-A-LOCAL

1 1 School Building Aid; Annual Grant for Leased Space. Amend the introductory paragraph of
2 RSA 198:15-hh, I to read as follows:

3 I. The amount of the annual grant for a lease to any school district duly organized, any city
4 maintaining a school department within its corporate organization, any cooperative school district as
5 defined in RSA 195:1, or any receiving district operating an area school as defined in RSA 195-A:1,
6 shall be a sum equal to 30 percent of the amount of the annual payment of the lease incurred, for the
7 cost of leasing permanent space in a building or buildings not owned by the school district or school
8 administrative unit which is used for the operation of a high school vocational technical education
9 program, to the extent approved by the state board of education. For the purposes of this section,
10 the amount of the annual grant for a lease to a vocational technical education center shall be
11 calculated in the same manner as a cooperative school district. The amount of the annual grant for a
12 chartered public school authorized under RSA 194-B:3-a shall be a sum equal to 30 percent of the
13 annual lease payment incurred for the cost of leasing space; provided that no annual grant for leased
14 space provided to a chartered public school in accordance with this section shall exceed [~~\$30,000~~
15 **\$50,000** in any fiscal year. The total amount of grants to schools pursuant to this section shall not
16 exceed the state appropriation for leased space. If the amount appropriated is insufficient therefor,
17 the appropriation shall be prorated proportionally among the schools eligible for a grant. Such lease
18 agreements shall be eligible for grants under this section, provided all of the following conditions
19 apply:

2021-0894h

AMENDED ANALYSIS

1. Increases the limit on the amount of the annual grant for leased space provided to a chartered public school.

Rep. Umberger, Carr. 2
March 23, 2021
2021-0980h
05/10

Amendment to HB 2-FN-A-LOCAL

1 1 New Paragraph; Kindergarten Adequate Education Grants. Amend RSA 198:48-b by
2 inserting after paragraph II the following new paragraph:

3 III. For the fiscal year ending June 30, 2021, and every fiscal year thereafter, the amount
4 necessary to fund the grants under this section is hereby appropriated to the department from the
5 education trust fund established in RSA 198:39. If the balance in the education trust fund is less
6 than zero, the governor is authorized to draw a warrant for sufficient funds to eliminate such deficit
7 out of any money in the treasury not otherwise appropriated. The commissioner of the department
8 of administrative services shall inform the fiscal committee and the governor and council of such
9 balance. This reporting shall not in any way prohibit or delay the distribution of kindergarten
10 adequate education grants.

11 2 Appropriation; Department of Education. The sum of \$1,906,313 for the fiscal year ending
12 June 30, 2021 is hereby appropriated to the department of education for the purpose of funding and
13 distributing additional adequate education grants under RSA 198:48-b, I and II. Of this
14 appropriation, \$840,039 shall be for payments for those districts that would have been eligible for
15 said grants had the provisions of RSA 198:48-b, I and II, been in effect for the fiscal year ending
16 June 30, 2020. Said appropriation shall be a charge against the education trust fund and shall not
17 lapse.

18 3 Effective Date. Sections 1 and 2 shall take effect June 30, 2021.

2021-0980h

AMENDED ANALYSIS

Add:

1. Provides that the amount necessary to fund kindergarten adequate education grants shall be appropriated from the education trust fund; authorizes the governor to draw a warrant to eliminate a deficit if the balance in the education trust fund falls below zero; and makes an appropriation to the department of education for fiscal year 2020 kindergarten funding.

Rep. Umberger, Carr. 2
March 23, 2021
2021-0989h
05/

Amendment to HB 2-FN-A-LOCAL

1 1 Education Trust Fund; Transfer. The state treasurer shall transfer education trust fund
2 revenue to the general fund in the amounts of \$12,000,000 for the fiscal year ending June 30, 2022
3 and \$10,700,000 for the fiscal year ending June 30, 2023. Said transfers shall occur no later than
4 August 1 of each fiscal year and shall exclude revenue transferred from the lottery commission to the
5 education trust fund pursuant to RSA 284:44, RSA 284:47, RSA 287-I, and 284:21-j, as provided in
6 RSA 198:39, I(h) and (k).

2021-0989h

AMENDED ANALYSIS

1. Transfers funds in each year of the biennium from the education trust fund to the general fund.