

SB 4-FN-A – AS AMENDED BY THE SENATE

03/28/13 1084

2013 SESSION

13-0433
04/03

SENATE BILL **4-FN-A**

AN ACT establishing a scholarship program for New Hampshire residents to attend any New Hampshire public postsecondary education institution.

SPONSORS: Sen. Morse, Dist 22; Sen. Boutin, Dist 16; Sen. Bradley, Dist 3; Sen. Bragdon, Dist 11; Sen. Carson, Dist 14; Sen. Cataldo, Dist 6; Sen. Forrester, Dist 2; Sen. Rausch, Dist 19; Sen. Reagan, Dist 17; Sen. Sanborn, Dist 9; Sen. Stiles, Dist 24; Rep. L. Ober, Hills 37; Rep. Chandler, Carr 1; Rep. Weyler, Rock 13; Rep. Elliott, Rock 8

COMMITTEE: Finance

ANALYSIS

This bill establishes the making opportunities occur for student excellence (MOOSE) program to provide scholarships to eligible students attending an institution within the university system of New Hampshire or the community college system of New Hampshire.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT establishing a scholarship program for New Hampshire residents to attend any New Hampshire public postsecondary education institution.

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

1 1 New Subdivision; Making Opportunities Occur for Student Excellence (MOOSE) Scholarship
2 Program. Amend RSA 21-N by inserting after section 11 the following new subdivision:

3 Making Opportunities Occur for Student Excellence
4 (MOOSE) Scholarship Program

5 21-N:12 Definitions. In this subdivision:

6 I. "Commission" means the higher education commission established in RSA 21-N:8-a.

7 II. "Eligible educational institution" means any institution within the university system of
8 New Hampshire as defined in RSA 187-A or any institution within the community college system of
9 New Hampshire as defined in RSA 188-F.

10 III. "Full-time" means a student enrolled in 12 credits or more per semester at an eligible
11 educational institutional.

12 IV. "Part-time" means a student enrolled in 6-11 credits or more per semester at an eligible
13 educational institution.

14 V. "Program" means the making opportunities occur for student excellence (MOOSE)
15 program.

16 VI. "Tuition" means the amount charged to a student for registering for credit hours of
17 instruction, and shall not include any other fees, charges, or costs of textbooks.

18 21-N:13 Program Established. There is hereby established the making opportunities occur for
19 student excellence (MOOSE) scholarship program in the department of education, division of higher
20 education, and which shall be administered by the commission. The program shall provide
21 scholarships of up to \$1,000 per academic year for full-time students and up to \$500 per academic
22 year for part-time students enrolled at an eligible educational institution within the university
23 system of New Hampshire or the community college system of New Hampshire. All scholarships
24 granted under this subdivision shall be applied toward tuition at an eligible educational institution.

25 21-N:14 Eligibility.

26 I. A student shall meet the following eligibility requirements to be considered for a
27 scholarship:

28 (a) Residency.

29 (1) A student shall meet the residency requirements of RSA 193:12, and be a

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1 graduate of a high school, public academy, chartered public school, or a high school-level home
2 education program as defined in RSA 193-A, and have completed at least 3 years of high school in
3 this state; or

4 (2) A student shall be a graduate of a preparatory high school outside of this state
5 while a dependent of a parent or legal guardian who is a legal resident of this state and who has
6 custody of the dependent; or

7 (3) A student whose parent or guardian has served in or has retired from the
8 United States Army, Navy, Air Force, Marine Corps, or Coast Guard within the last 4 years and is a
9 resident of this state.

10 (b) Academic Performance. A student shall have attained a minimum 3.0 cumulative
11 grade average on a 4.0 scale or have scored at or above the national average SAT or ACT score for
12 the year in which the student is applying.

13 (c) Enrollment. A student shall be enrolled as a full-time or part-time student at an
14 eligible educational institution.

15 (d) Criminal Record. A student shall not have been adjudicated delinquent or convicted
16 or pled guilty or nolo contendere to any felonies or any second or subsequent alcohol or drug-related
17 offenses under the laws of this or any other state, or under the laws of the United States, except that
18 an otherwise eligible student who has been adjudicated delinquent or has been convicted or pled
19 guilty or nolo contendere to a second or subsequent alcohol or drug-related misdemeanor offense
20 shall be eligible or continue to be eligible for a scholarship after the expiration of one academic year
21 from the date of the adjudication, conviction, or plea.

22 II. In order to retain the scholarship, a recipient shall maintain a 3.0 cumulative grade point
23 average on a 4.0 scale in each semester while maintaining full-time or part-time enrollment status.

24 III. If a student does not meet the eligibility requirements set forth in this section for
25 enrollment in his or her first year but chooses to attend an eligible educational institution, the
26 student may apply for a scholarship after his or her freshman year at such institution provided the
27 student meets all other eligibility requirements.

28 IV. For home educated students, students whose high school graduating class is less than 50
29 students, and exceptionally gifted students who have been accepted into an eligible educational
30 institution without having attended high school, the commission shall adopt rules pursuant to
31 RSA 541-A defining alternative criteria, as may be necessary, for such students to qualify for a
32 scholarship under this subdivision.

33 21-N:15 Administrative Provisions.

34 I. A student may receive a scholarship for not more than 8 semesters of undergraduate study
35 for a 4-year degree program, or 4 semesters of undergraduate study for a 2-year degree program, or a
36 certificate program. Students pursuing graduate studies shall not be eligible for a scholarship under
37 this subdivision.

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1 II. A student transferring from one eligible educational institution of this state to another
2 shall retain eligibility for a scholarship if he or she continues to meet the eligibility requirements of
3 this subdivision.

4 III. A scholarship recipient enrolled at an eligible educational institution may pursue a
5 study-abroad program or other out-of-state program, if approved by the student's educational
6 institution. A summer school program may be substituted for one fall or spring semester in any
7 year.

8 IV. Any credit hours attempted or earned before high school graduation or through advanced
9 placement examinations shall not count toward the semester credit hours requirement under
10 RSA 21-N:14, II.

11 V. No scholarship funds shall be applied to the costs of continuing education or remedial
12 courses.

13 21-N:16 MOOSE Scholarship Fund Established.

14 I. There is hereby established in the office of the treasurer the MOOSE scholarship fund
15 which shall be kept distinct and separate from all other funds. The fund shall provide scholarships
16 for the benefit of eligible residents of the state pursuing programs of study at an eligible educational
17 institution within the state.

18 II. The state treasurer shall credit to the fund any appropriation relating to the MOOSE
19 scholarship program made to the department of education, division of higher education for each
20 fiscal year. The state treasurer shall invest the fund in accordance with RSA 6:8. Any earnings on
21 trust fund moneys shall be added to the fund.

22 III. All moneys in the fund shall be nonlapsing and shall be continually appropriated to the
23 commission for purposes of providing scholarships under this subdivision.

24 IV. The commission may institute promotional programs and solicit and receive gifts or
25 donations of any kind for the purpose of supporting educational scholarships from the fund.
26 Notwithstanding any provision of law to the contrary, the commission may accept gifts to the fund
27 including, but not limited to, cash gifts and real or personal property, without the approval of the
28 governor and council.

29 V. All gifts, grants, and donations of any kind shall be credited to the fund.

30 21-N:17 Rulemaking. The commission shall adopt rules pursuant to RSA 541-A to establish
31 forms and procedures necessary to administer the provisions of this subdivision.

32 21-N:18 Reports.

33 I. All eligible educational institutions participating in the MOOSE program shall annually
34 report enrollment and other relevant data to the commission

35 II. The commission shall monitor the distribution of grades at eligible educational
36 institutions which receive scholarship funds under this subdivision.

37 2 New Subparagraph; Application of Receipts; MOOSE Scholarship Fund. Amend RSA 6:12,

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1 I(b) by inserting after subparagraph (310) the following new subparagraph:

2 (311) Moneys deposited into the MOOSE scholarship fund established in RSA 21-N:16.

3 3 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2014 and the sum of \$1 for
4 the fiscal year ending June 30, 2015 are hereby appropriated to the MOOSE scholarship fund
5 established in RSA 21-N:16. The governor is authorized to draw a warrant for said sums out of any
6 money in the treasury not otherwise appropriated.

7 4 Applicability. The eligible institutions shall initiate review of applicants for scholarships
8 under the MOOSE program beginning with the 2016-2017 school year.

9 5 Effective Date.

10 I. RSA 21-N:12 – RSA 21-N:15 and RSA 21-N:17-18 as inserted by section 1 of this act shall
11 take effect July 1, 2016.

12 II. Section 4 of this act shall take effect July 1, 2016.

13 III. The remainder of this act shall take effect July 1, 2013.

SB 4 FISCAL NOTE

AN ACT establishing a scholarship program for New Hampshire residents to attend any New Hampshire public postsecondary education institution.

FISCAL IMPACT:

The Department of Education states this bill, **as amended by the Senate (Amendment #2013-1084s)**, may increase state revenues by an indeterminable amount in FY 2014 and each fiscal year thereafter, and increase state expenditures by an indeterminable amount in FY 2016 and each fiscal year thereafter. There will be no fiscal impact on county and local revenues or expenditures.

This bill appropriates \$1 from the state general fund to the Making Opportunities Occur for Student Excellence (MOOSE) scholarship fund established by the bill for each fiscal year of the biennium ending June 30, 2015, for the purposes of this act.

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill appropriates \$1 from the state general fund to the Making Opportunities Occur for Student Excellence (MOOSE) scholarship fund established by the bill for each fiscal year of the biennium ending June 30, 2015, for the purposes of this act.

The Department of Education states the bill establishes a scholarship program for New Hampshire residents attending postsecondary education institutions within the University System of New Hampshire (USNH) and the Community College System of New Hampshire (CCSNH). The scholarship program, named the Making Opportunities Occur for Student Excellence (MOOSE) scholarship program, is designated to be administered by the Department's Higher Education Commission, and will provide scholarships of up to \$1,000 per academic year for full-time students and \$500 per academic year for part-time students. The proposed legislation specifies eligibility requirements related to residency and educational merit by establishing specific residency requirements and stating students must attain a minimum of a 3.0 grade point average or have scored at or above the national average on SAT or ACT tests in the year being applied for. The proposed legislation also establishes a MOOSE scholarship fund which, in addition to any appropriations made for the purposes of this legislation, is authorized to accept gifts and donations. The Department states to the extent the state is successful in promoting the MOOSE scholarship program and soliciting gifts and

donations, state restricted revenues will increase. The Department is unable to estimate to what extent gifts and donations made to the MOOSE scholarship fund will increase state restricted revenues in FY 2014 and each fiscal year thereafter.

Although the Department is unable to estimate the number of students that may be eligible for the MOOSE scholarship in FY 2017, the first year for which the proposed legislation requires the review of scholarship applications, it notes that program administration will require two full-time employees, one at a labor grade 19 and the other at a labor grade 23. The Department estimates the costs associated with the two full time employees will be \$132,595 per year in FY 2017. Based on the requirement to review applications for FY 2017, the Department anticipates the employees will be needed during an indeterminable portion of FY 2016, as well.

The Department notes the number and amount of scholarships awarded is dependent upon future appropriations and the Department's ability to solicit gifts or donations to the MOOSE scholarship fund. The Department is unable to estimate the amount of revenue that would be generated as a result of its efforts to solicit gifts and donations or the amount of any future appropriations made to the fund and is therefore unable to estimate the proposed legislations fiscal impact on state revenues in FY 2014 and each fiscal year thereafter, or on state expenditures in FY 2017 and each fiscal year thereafter.