

HB 530-LOCAL - AS INTRODUCED

2023 SESSION

23-0738

10/05

HOUSE BILL **530-LOCAL**

AN ACT relative to withdrawal from a cooperative school district.

SPONSORS: Rep. Cordelli, Carr. 7

COMMITTEE: Education

ANALYSIS

This bill clarifies the process for the vote on withdrawal from a cooperative school district.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to withdrawal from a cooperative school district.

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

1 1 Cooperative School Districts; Vote on Withdrawal. Amend RSA 195:29 to read as follows:
 2 195:29 Vote on Withdrawal. If the state board approves the plan for withdrawal, the board shall
 3 cause the withdrawal plan to be published once in some newspaper generally circulated within the
 4 cooperative school district. Upon receipt of a written notice of the board's approval of the withdrawal
 5 agreement, the school board of the cooperative district shall cause the withdrawal plan to be filed
 6 with the clerk of the cooperative school district and submitted to the voters of the district as soon as
 7 may reasonably be possible at an annual or special meeting called for the purpose, the voting to be
 8 by ballot with the use of the checklist, after reasonable opportunity for debate in open meeting. The
 9 article in the warrant for the district meeting and the question on the ballot to be used at the
 10 meeting shall be in substantially the following form:

11 "Shall the school district accept the provisions of RSA 195 (as amended) providing for the withdrawal
 12 of the preexisting district of _____ from the _____ cooperative school district in accordance
 13 with the provisions of the proposed withdrawal plan filed with the school district clerk?"
 14 Yes _____ No _____

15 ***I.*** If a majority of voters present and voting in the withdrawing preexisting district vote ***in***
 16 ***the negative***, against withdrawal, then the withdrawal process is terminated. If a majority of the
 17 voters present and voting in the withdrawing preexisting district shall vote in the affirmative, ***in***
 18 ***favor of withdrawal*** and a majority of the voters present and voting in the entire cooperative
 19 district shall vote in the affirmative, ***in favor of withdrawal***, the clerk of the cooperative school
 20 district shall forthwith send to the state board of education a certified copy of the warrant, certificate
 21 of posting, evidence of publication, and minutes of the meeting.

22 ***II.*** ***If a 3/5 supermajority of the voters present and voting in the withdrawing***
 23 ***preexisting district vote in the affirmative, in favor of the withdrawal, the clerk of the***
 24 ***cooperative school district shall forthwith send to the state board of education a certified***
 25 ***copy of the warrant, certificate of posting, evidence of publication, and minutes of the***
 26 ***meeting unless a 3/5 supermajority of the voters present and voting in the entire***
 27 ***cooperative district vote in the negative, against withdrawal.***

28 ***III.*** If the ***state board of education*** finds that a majority of the voters present and voting,
 29 ***in the entire cooperative district or by the alternative supermajority vote under paragraph***
 30 ***II***, have voted in favor of the withdrawal plan, it shall issue its certificate to that effect and such
 31 certificate shall be conclusive evidence of the withdrawal of the preexisting district and the

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1 continuation of the cooperative school district as of the date of its issuance, or the dissolution of a 2-
2 district cooperative if the cooperative was formed by 2 preexisting districts[~~-, provided, however,~~
3 ~~that~~]. A withdrawal plan shall be prepared [for a 2-district cooperative] and it shall provide for the
4 disposition of property held within the cooperative and a statement of assumption of liabilities. [If a
5 majority of voters present and voting reject the plan, the withdrawing district shall have the right to
6 appeal such vote to the state board of education. The state board shall upon receipt of such appeal
7 investigate and report back to the district on its findings and recommendations; and this report may
8 require that there will be another special meeting for a vote of reconsideration.]

9 2 Effective Date. This act shall take effect 30 days after its passage.