

CHAPTER 136
HB 530-LOCAL - FINAL VERSION

22Mar2023... 1019h

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

1 136:1 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 with the
6 clerk of the cooperative school district and submitted to the voters of the district as soon as may
7 reasonably be possible at an annual or special meeting called for the purpose, the voting to be by ballot
8 with the use of the checklist, after reasonable opportunity for debate in open meeting. The article in the
9 warrant for the district meeting and the question on the ballot to be used at the meeting shall be in
10 substantially the following form:

11 "Shall the school district accept the provisions of RSA 195 (as amended) providing for the withdrawal of
12 the preexisting district of _____ from the _____ cooperative school district in accordance with
13 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 the***
16 ***negative**, against withdrawal, then the withdrawal process is terminated.*

17 *II. If a majority of the voters present and voting in the withdrawing preexisting district shall vote in*
18 *the affirmative, **in favor of withdrawal** and a majority of the voters present and voting in the entire*
19 *cooperative 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 of*
21 *posting, evidence of publication, and minutes of the meeting.*

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

27 *IV. If the **state board of education** finds that a majority of the voters present and voting, **in the***
28 ***withdrawing preexisting district and the entire cooperative district, or by the alternative supermajority vote***
29 ***under paragraph III**, have voted in favor of the withdrawal plan, it shall issue its certificate to that effect*
30 *and such certificate shall be conclusive evidence of the withdrawal of the preexisting district and the*
31 *continuation of the cooperative school district as of the date of its issuance, or the dissolution of a 2-*
32 *district cooperative if the cooperative was formed by 2 preexisting districts~~, provided, however, that~~. A*

CHAPTER 136
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- Page 2 -

1 withdrawal plan shall be prepared [~~for a 2-district cooperative~~] and it shall provide for the disposition of
2 property held within the cooperative and a statement of assumption of liabilities. [~~If a majority of voters
3 present and voting reject the plan, the withdrawing district shall have the right to appeal such vote to the
4 state board of education. The state board shall upon receipt of such appeal investigate and report back to
5 the district on its findings and recommendations; and this report may require that there will be another
6 special meeting for a vote of reconsideration.~~]

136:2 Effective Date. This act shall take effect 30 days after its passage.

Approved: June 30, 2023
Effective Date: July 30, 2023