

2011 -- H 5599

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO EDUCATION -- UNIVERSITY OF RHODE ISLAND

Introduced By: Representatives Naughton, Walsh, Ferri, Kennedy, and E Coderre

Date Introduced: March 03, 2011

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 16-32-3, 16-32-4, 16-32-5 and 16-32-6 of the General Laws in
2 Chapter 16-32 entitled "University of Rhode Island" are hereby amended to read as follows:
3 **16-32-3. Purposes of university.** -- The board, as now constituted, and their successors,
4 for the terms for which they have been or for which they hereafter may be appointed regents,
5 shall continue to be a body politic and corporate for the purpose of continuing and maintaining
6 the University of Rhode Island as a university where the leading object shall be, without
7 excluding other scientific and classical studies, and including military tactics, to teach any
8 branches of learning as are related to agriculture and the mechanic arts, in order to promote the
9 liberal and practical education of the industrial classes in the several pursuits and professions of
10 life, as provided in the act of the congress of the United States, approved July 2, 1862, entitled
11 "An Act Donating Public Lands to the Several States and Territories Which May Provide
12 Colleges for the Benefit of Agriculture and the Mechanic Arts," ([hereinafter, the "Morrill Act of](#)
13 [1862"](#)) and for the purpose of continuing and maintaining an agricultural experiment station
14 ([hereinafter, the "station"](#)) as a department of the college university under and in accordance with,
15 and to carry out the purposes of, the act of congress approved March 2, 1887, entitled "An Act to
16 Establish Agricultural Experiment Stations in Connection with the Colleges Established in the
17 Several States Under the Provisions of An Act Approved July 2, 1862, and of the Acts
18 Supplementary Thereto-" ([hereinafter, the "Smith-Lever Act of 1914"](#)), and as provided in all
19 [subsequent acts of the congress of the United States which modify the Morrill Act of 1862, the](#)

1 Hatch Act of 1887, and/or the Smith-Lever Act of 1914, and as provided by “The National Sea
2 Grant College and Program Act of 1966” (hereinafter, the “Sea Grant Act of 1966”), and as
3 provided in all subsequent acts of the congress of the United States which modify the Sea Grant
4 Act of 1966, and as provided by the “Higher Education Act of 1965”, and as provided in all
5 subsequent acts of the congress of the United States that provide for the urban grant college
6 programs. The station and cooperative extension are hereafter collectively referred to as the
7 “Land Grant Programs.”

8 **16-32-4. Location -- Application of federal funds.** -- The university and agricultural
9 experiment station shall and administrative headquarters for cooperative extension, until ordered,
10 continue to be located in the town of South Kingstown upon the estate now occupied by them,
11 and all money received after this under the ~~act of congress, approved March 2, 1887, and under~~
12 ~~the act of congress approved August 30, 1890, entitled "An Act to Apply a Portion of the~~
13 ~~Proceeds of the Public Lands to the More Complete Endowment and Support of the Colleges for~~
14 ~~the Benefit of Agriculture and the Mechanic Arts, Established Under the Provisions of an Act of~~
15 ~~Congress Approved July Second, Eighteen Hundred Sixty two,"~~ land grant programs and all
16 other money which shall be received by the state for the promotion of agriculture or the mechanic
17 arts at land grant colleges under or by virtue of an act of congress shall, as and when received, be
18 paid over to the treasurer of the university, to be used and applied and accounted for by the
19 ~~trustees~~ board of governors for higher education and officers of the university, with the approval
20 of the state controller, as required by the respective acts of congress under which the money is
21 received.

22 **16-32-5. Authority over experiment station Authority over the land grant, sea grant,**
23 **and urban grant programs.** -- The board of governors for higher education, through the
24 president of the university and program directors, shall have authority over the agricultural
25 experiment station, cooperative extension, Rhode Island sea grant, and Rhode Island urban grant
26 of the university located in the town of South Kingstown.

27 **16-32-6. Activities of experiment station Activities of the land grant, sea grant and**
28 **urban grant programs.** -- The agricultural experiment station, cooperative extension, and Rhode
29 Island sea grant at the University of Rhode Island shall continue to expend sums of money
30 received from the United States government for experimental work and ~~agricultural~~ extension,
31 ~~service, and shall also continue to promote and encourage the work of farm bureaus and expend~~
32 ~~sums of money received from federal and state appropriations, subject to budgetary control~~
33 ~~provided by chapter 3 of title 35~~ outreach in compliance with the Hatch Act of 1887, the Smith-
34 Lever Act of 1914, and the Sea Grant Acct of 1966 and shall also continue to promote and

1 encourage the work of agriculturalists (including aquaculturalists), their professional
2 organizations, environmental organizations, conservation districts and other agencies of
3 government concerned with agriculture, the environment, or the purposes of the station or
4 cooperative extension, and the private sector collaborating with the station or cooperative
5 extension, consistent with the requirements of the Hatch Act of 1887, the Smith-Lever Act of
6 1914, the Sea Grant Act of 1966 and the Higher Education Act of 1965 and expend sums of
7 money received from federal and state appropriations, subject to budgetary control provided by
8 chapter 3 of title 35.

9 SECTION 2. Chapter 16-32 of the General Laws entitled "University of Rhode Island" is
10 hereby amended by adding thereto the following sections:

11 **16-32-4.1. Appropriation of state funds for the Land Grant Programs. –** Beginning
12 in the fiscal year commencing July 1, 2012, the general assembly shall annually appropriate a
13 sum with the board of governors of higher education for the exclusive purpose of defraying the
14 expenses of the Land Grant Programs as defined in section 16-32-3 and of providing state funds
15 to meet federal mandates that federal funds be matched by state funds, such funds to be expended
16 under the direction of the director of land Grant Programs with due oversight by the president of
17 the University and the board of governors for higher education. There shall be no more than one
18 hundred percent (100%) of the full amount of federal funds awarded to the station under the
19 Hatch, McIntire-Stennis, and Animal Health and other formula allocations of the United States
20 department of agriculture the preceding fiscal year as reported under section 16-32-7, and on the
21 full amount of federal funds awarded to cooperative extension under the Smith-Lever formula
22 allocations of the preceding year as reported under section 16-32-7.

23 **16-32-4.2. Appropriation of state funds for the Rhode Island Sea Grant Program. –**
24 Beginning in the fiscal year commencing July 1, 2012, the general assembly shall annually
25 appropriate a sum with the board of governors for higher education for the exclusive purpose of
26 defraying the expenses of the Rhode Island Sea Grant Program as defined in section 16-32-3 and
27 of providing state funds to meet federal mandates that federal funds be matched by state funds,
28 such funds to be expended under the direction of the director of Rhode Island Sea Grant with due
29 oversight by the president of the University and the board of governors for higher education. The
30 state appropriation shall be no more than one hundred percent (100%) of the full amount of
31 federal funds awarded to the Rhode Island Sea Grant Program under formula allocations of the
32 United States department of commerce the preceding fiscal year as reported under section 16-32-
33 7.

34 **16-32-4.3. Use of funds to enhance Land Grant and Sea Grant Programs. –** The

1 annual appropriation of funds for the Land Grant and Sea Grant programs shall be in addition to
2 and separate from any funds regularly appropriated to the University under section 16-32-9; thus
3 there shall be no reduction of appropriations to the University as authorized under section 16-32-
4 9. Funds appropriated for Land Grant programs shall be accounted for separately within the
5 budget of the board of governors for higher education to be used exclusively to enhance the
6 activities and capacities of the station, cooperative extension, and Sea Grant programs, and are
7 not to be used to replace operating funds for academic departments, or for normal maintenance
8 operations of the University, or for any other purpose not in accord with the purpose of
9 enhancement of the Land Grant and Sea Grant programs. Use of funds is approved for summer
10 salary of faculty on nine (9) month academic year appointments to participate in Land Grant or
11 Sea Grant programs, and for use to release faculty from teaching responsibilities to participate in
12 Land Grant or Sea Grant programs, and for technical staff conducting Land Grant or Sea Grant
13 program activities, and for support of undergraduate or graduate students collaborating in Land
14 Grant or Sea Grant program activities, and for capital acquisitions and physical plant
15 improvements directly in support of the Land Grant or Sea Grant programs, and for all other
16 expenditures directly in support of the Land Grant or Sea Grant programs, including use as a state
17 matching contribution to grants received from federal agencies to support research or outreach
18 conducted and administered conjointly with activities of the station, cooperative extension, or
19 Rhode Island Sea Grant. Expenditure of funds shall follow rules promulgated in the official
20 federal manuals of the state, cooperative extension, and Sea Grant, including rules governing
21 approval for projects and activities and expenditures of funds for approved projects and activities.

22 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- UNIVERSITY OF RHODE ISLAND

1 This act would promote the capability of the University of Rhode Island in the areas of
2 environmental and agricultural research and extension education by authorizing the appropriation
3 of additional state funds to match annual federal funds from the United States department of
4 agriculture and the United States department of commerce without reduction in the University's
5 general operating budget.

6 This act would take effect upon passage.

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