

2010 -- H 7074

LC00043

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO MILITARY AFFAIRS AND DEFENSE

Introduced By: Representatives Carter, MacBeth, and Serpa

Date Introduced: January 12, 2010

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 30 of the General Laws entitled "Military Affairs and Defense" is
2 hereby amended by adding thereto the following chapter:

3 CHAPTER 34

4 RHODE ISLAND NATIONAL GUARD

5 OCEAN STATE YOUTH CHALLENGE ACADEMY PROGRAM ACT

6 **30-34-1. Short Title.** – This chapter shall be known and may be cited as “The Rhode
7 Island National Guard Ocean State Youth Challenge Academy Act”.

8 **30-34-2. Definitions.** – As used in this chapter:

9 (a) “At-risk youth” means a person who is at least sixteen (16) years old but less than
10 twenty (20) years of age and who has “quit”, been suspended or expelled from school, is
11 habitually truant, or is otherwise habitually disruptive in school and/or is unemployed or
12 underemployed.

13 (b) “GED” means a certificate that demonstrates that a person has passed a battery of
14 tests given at a testing center, authorized by the commissioner of education, that are designed to
15 measure the major outcomes and concepts generally associated with four (4) years of high school
16 education.

17 (c) “Program” means the Ocean State Youth Challenge Academy Program.

18 **30-34-3. Authorization.** – The office of adjutant general is hereby authorized to operate
19 a Youth Challenge Academy program through the use of National Guard facilities and

1 equipment for the purpose of providing at-risk youth with a program to help them obtain a GED,
2 and/or high school diploma, increase their employment potential, and enhance their education and
3 life skills.

4 The office of the adjutant general is hereby authorized to establish forty-seven (47) state
5 positions to support the new program. The [Ocean State Youth ChalleNGe Academy employees](#)
6 will be hired in accordance with the program start-up timeline established by the national guard
7 bureau.

8 **30-34-4. Costs.** – The state of Rhode Island intends to enter into a cooperative agreement
9 to establish the Ocean State [Youth ChalleNGe Academy](#); provided, the cooperative agreement
10 specifies that the national guard bureau will provide a seventy-five percent/twenty-five percent
11 (75%/25%) federal/state matching fund requirement. The state match will not exceed twenty-five
12 percent (25%).

13 **30-34-5. Criteria and conditions of program.** – The program shall comply with the
14 criteria and conditions specified in a cooperative agreement entered into between the chief of the
15 national guard bureau and the adjutant general of the state of Rhode Island.

16 **30-34-6. Program Management and Resource Utilization.** –

17 (a) The adjutant general shall appoint, in writing, a program manager for the Ocean State
18 Youth ChalleNGe Academy.

19 (b) The program manager is directed and authorized to apply for federal monies that may
20 be available to the state for the implementation and operation of the program.

21 (c) The adjutant general of the state of Rhode Island is authorized to accept, on behalf of
22 the state, any gifts, grants, or donations from any private or public source for the purpose of
23 implementing this chapter unless the gift, grant, or donation is subject to conditions that are
24 inconsistent with this chapter or any other law of the state.

25 (d) The adjutant general is directed to establish a restricted receipt account to facilitate
26 the state's financial management of this program.

27 (e) All private and public monies received through gifts, grants, or donations shall be
28 transmitted to the general treasurer, who shall credit the same amount received to the Ocean State
29 Youth ChalleNGE Academy program restricted receipt account.

30 (f) The funds credited to this account are to be utilized for the sole purpose of resourcing
31 direct and indirect costs associated with the implementation and administration of this program
32 without regard to state or federal fiscal year limitations.

33 (g) All investment earnings derived from the deposit and investment of monies in the
34 fund shall be credited to the program's restricted receipt account.

1 (h) Any funds not expended by the end of the state fiscal year, in any given year, shall
2 remain in the account and shall not be transferred or revert to the general fund at the end of any
3 fiscal year.

4 (i) The Rhode Island national guard may receive federal funding to implement, conduct
5 and administer this program. The adjutant general and the United States property and fiscal
6 officer for Rhode Island will ensure that the expenditure of any funds received comply with
7 appropriate federal laws, regulations and policies. In the event that the Rhode Island national
8 guard does not receive federal funds in any given federal fiscal year, the Rhode Island national
9 guard is not authorized to conduct this program.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MILITARY AFFAIRS AND DEFENSE

1 This act would establish an Ocean State Youth ChalleNGe Academy for at-risk youth
2 through a cooperative agreement between the Rhode Island national guard and the Rhode Island
3 adjutant general.

4 This act would take effect upon passage.

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