

2012 -- H 8052

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LC02371
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT

Introduced By: Representatives Lima, Messier, Phillips, Fellela, and Guthrie

Date Introduced: April 05, 2012

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-41.1 of the General Laws in Chapter 16-7 entitled
2 "Foundation Level School Support" is hereby amended to read as follows:

3 **16-7-41.1. Eligibility for reimbursement.** -- School districts, not municipalities, may
4 apply for and obtain approval for a project under the necessity of school construction process set
5 forth in the regulations of the board of regents for elementary and secondary education. Such
6 approval will remain valid until June 30 of the third fiscal year following the fiscal year in which
7 the board of regents for elementary and secondary education's approval is granted. Only those
8 projects undertaken at school facilities under the care and control of the school committee and
9 located on school property may qualify for reimbursement under sections 16-7-35 -- 16-7-47.
10 Facilities with combined school and municipal uses or facilities that are operated jointly with any
11 other profit or non-profit agency do not qualify for reimbursement under sections 16-7-35 -- 16-7-
12 47. Projects completed by June 30 of a fiscal year are eligible for reimbursement in the following
13 fiscal year. A project for new school housing or additional housing shall be deemed to be
14 completed when the work has been officially accepted by the school committee or when the
15 housing is occupied for its intended use by the school committee, whichever is earlier.

16 ~~Notwithstanding the provisions of this section, the board of regents shall not grant final~~
17 ~~approval for any project between June 30, 2011 and June 30, 2014 except for projects that are~~
18 ~~necessitated by immediate health and safety reasons. In the event that a project is requested~~
19 ~~during the moratorium because of immediate health and safety reasons, those proposals shall be~~

1 ~~reported to the chairs of the house and senate finance committees.~~
2 ~~Any project approval granted prior to the adoption of the school construction regulations~~
3 ~~in 2007, and which are currently inactive; and any project approval granted prior to the adoption~~
4 ~~of the school construction regulations in 2007 which did not receive voter approval or which has~~
5 ~~not been previously financed, are no longer eligible for reimbursement under this chapter. The~~
6 ~~department of elementary and secondary education shall develop recommendations for further~~
7 ~~cost containment strategies in the school housing aid program.~~

8 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 EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT

1 This act would repeal a moratorium providing that the board of regents for elementary
2 and secondary education would not grant final approval for most school construction projects
3 between June 30, 2011, and June 30, 2014. This act would also provide that inactive projects
4 whose approval was granted prior to adoption of the school construction regulations in 2007 and
5 certain other projects would no longer be eligible for reimbursement under chapter 16-7.

6 This act would take effect upon passage.

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