

2016 -- S 2472

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LC003891
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

IN AMENDMENT OF AND IN ADDITION TO CHAPTER 419 OF THE PUBLIC LAWS, 2006, ENTITLED "AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 55 OF THE PUBLIC LAWS, 1958, ENTITLED 'AN ACT AUTHORIZING THE TOWNS OF CHARLESTOWN, RICHMOND AND HOPKINTON, TO JOIN A REGIONAL SCHOOL DISTRICT, INCORPORATING SAID REGIONAL SCHOOL DISTRICT, AND PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION AND OPERATION OF A REGIONAL SCHOOL SYSTEM FOR THE JOINT USE OF THE PARTICIPATING TOWNS, WITHIN SAID REGIONAL SCHOOL DISTRICT ESTABLISHED BY THIS ACT,' AS AMENDED"

Introduced By: Senators Morgan, Algieri, Kettle, Pagliarini, and Sheehan

Date Introduced: February 11, 2016

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 10 of chapter 419 of the Public Laws, 2006, entitled "An Act
2 Authorizing The Towns Of Charlestown, Richmond And Hopkinton, To Join A Regional School
3 District, Incorporating Said Regional School District, And Providing For The Issuance Of Bonds,
4 Construction And Operation Of A Regional School System For The Joint Use Of The
5 Participating Towns, Within Said Regional School District Established By This Act,' As
6 Amended" is hereby further amended to read as follows:

7 Sec. 10. (1)(a) There shall be a regional school committee for said district, ~~consisting of~~
8 ~~eleven (11) members, each~~ Each member town shall be represented on the committee in direct
9 proportion to its population, ~~as determined by the most recent population census figures. The total~~
10 ~~population of the district shall then be divided by eleven (11) and the resulting quotients thus~~
11 ~~obtained shall be used as the basis for determining the proportionate representation of each said~~
12 ~~member town on said committee, and realizing that the mathematical divisions of said formula~~
13 ~~will not obtain absolute evenness, fractions of .5 or more shall be construed as 1 point and~~
14 ~~fractions less than .5 shall be construed as 0. Subject to limitations aforesaid, the members of said~~
15 ~~committee from each of the member towns to be elected or appointed for terms hereinafter set~~

1 ~~forth shall be determined as of the time of each bi-annual election and each of the said member~~
2 ~~towns, based upon the census aforesaid. The first such regional school committee shall be elected~~
3 ~~in the general election in November, 1988. In the general election 1988 each town electing three~~
4 ~~(3) members of the school committee shall elect two (2) members to serve a term of four (4) years~~
5 ~~and one (1) member to serve a term of two (2) years. A town electing more than three (3)~~
6 ~~representatives shall elect three (3) members for a term of two (2) years and additional members~~
7 ~~for a term of four (4) years. Thereafter members shall be elected for a term of four (4) years. Until~~
8 ~~such time as those elected in that election shall be certified and qualified, the existing Chariho~~
9 ~~Regional High School District Committee shall serve as the Regional School Committee. On the~~
10 effective date of this amendment, one seat shall be added to the school committee, for a total of
11 twelve (12) seats. The Richmond town council shall appoint a qualified elector to the twelfth
12 (12th) seat for a term that expires in November 2018. In the general election of 2018, Richmond
13 voters shall elect a school committee member to the twelfth (12th) seat to serve a term of four (4)
14 years that expires in November 2022.

15 (1)(b) Beginning with the 2022 general election, the school committee shall consist of a
16 minimum of ten (10) seats and a maximum of fourteen (14) seats. For the general election of
17 2022, and every ten (10) years thereafter, the population schedules of the most recent federal
18 decennial census shall be used to determine the size school committee that will provide the most
19 equal representation of all three (3) towns in the district. The number of seats shall be determined
20 as follows: The ideal number of persons represented by each seat is determined by dividing the
21 total district population by ten (10). The number of seats each town is entitled to is determined by
22 dividing the population of each town by the ideal number of persons represented by each seat,
23 with fractions of one-half (0.5) or greater rounded up and fractions of less than one-half (0.5)
24 rounded down. The total should be ten (10). If the total is more than ten (10), the smallest number
25 above one-half (0.5) is rounded down instead of up, and if the total number is less than ten (10),
26 the greatest number below one-half (0.5) is rounded up instead of down. The total number of
27 seats should then be ten (10). The number of people in each town who would be represented by
28 each seat is determined by dividing the population of the town by the number of seats that town is
29 entitled to. The deviation from the ideal number in each town is expressed as a percentage.
30 Comparing the deviation percentages in all three (3) towns, the largest percentage of over-
31 representation and the largest percentage of under-representation are added together to determine
32 the maximum deviation for a school committee of ten (10) seats. This calculation is repeated for
33 school committees of eleven (11), twelve (12), thirteen (13), and fourteen (14) seats to determine
34 the maximum deviation for each size school committee. The smallest of the five (5) maximum

1 deviations determines the number of school committee seats that will yield the most equal
2 representation for all three (3) towns in the district based on the most recent federal decennial
3 census.

4 (1)(c) In the event of any vacancy by death, resignation or incapacity to serve of any term
5 of any member of said regional school district committee, the town council of the member town
6 in which such vacancy occurs shall fill such vacancy by election by a majority vote of the town
7 council of said town for the unexpired term of the member whose office is thus vacated.

8 (1)(~~b~~)(d) Since the United States Census bureau of the census conducts on a decennial
9 basis and in view of the fact that any of the Chariho towns may ~~incurs~~ incur rapid shifts in
10 population which could effect the composition of the Chariho school committee, there may be an
11 agreement among the town councils to provide for a census ~~on a five (5) year basis beginning in~~
12 ~~1995 in any year ending in five (5). A census of the towns taken in 1987 will be used as the basis~~
13 ~~for school committee composition until the 1990 United States bureau of census data is provided.~~
14 ~~The cost of the 1987 census will be borne by each town in proportion to its population.~~ Any town
15 objecting to the use of the United States census ~~material~~ population schedules may require the
16 making of an actual census. ~~in time for the first general election after 1995.~~ The cost of such a
17 census shall be borne equally by the three (3) towns and shall not constitute a reimbursable
18 education expense; provided further that in the event that such an actual census does not result in
19 a count materially different from the ~~numbers contained in material~~ population schedules
20 compiled by the United States bureau of the census, ~~then~~ the cost of the actual census, shall be
21 borne by the town or towns objecting to the use of such ~~bureau of the census material~~ population
22 schedules.

23 (2) Within ten (10) days after the election and certification of the members of the regional
24 school district committee, said regional school district committee shall meet and organize by
25 selecting one (1) of their number to be chairperson of said committee. The chairperson chosen at
26 the first organized meeting shall serve in such office until the first meeting of said committee
27 following the qualification of new members elected to the regional school district committee at
28 the general election of 1988, At such first meeting of the said committee following the election
29 and qualification of new members, the committee shall elect a chairperson and elect such other
30 officers and are herein or hereafter authorized and each two (2) years thereafter at such first
31 meeting following a general election at which school committee members are elected, the
32 regional school district committee shall organize and elect or appoint such officers. A person may
33 not succeed himself/herself in the office of chairperson unless no other member of the committee
34 is willing to serve as chairperson and at such organizational meetings the chairmanship shall first

1 be offered to a committee member from a town other than the town one of the members of which
2 last served as chairperson in an order of rotation to be agreed upon at the first organization
3 meeting of the said committee which shall provide that each member town shall have the
4 opportunity of having one of its members serve as chairperson in a fixed order of selection. In the
5 event that no member from one of the member towns which is entitled to the chairmanship at an
6 organization meeting is willing to serve as chairperson, this election shall pass to the next such
7 member town so entitled under said agreement and so on until a chairperson is selected who is
8 going to serve. The said committee shall also appoint a clerk and a treasurer of said committee
9 who shall also be a clerk and treasurer of the said district and the district meetings and the said
10 clerk and treasurer may be the same individual and need not be a member of members of said
11 committee.

12 (3) Said regional school committee shall have all the powers and duties conferred by law
13 in this state upon school committees of towns, generally, including but not limited to the
14 following:

15 (a) To apply for and receive, accept and use any town, state or federal funds or assistance,
16 or both, as may be provided, whether in the form of a grant or a loan or both, including
17 specifically such funds or assistance from state or federal sources as the member towns would
18 otherwise be entitled to apply for and receive from such sources in the event that the said regional
19 school district did not exist but to the use of which such member towns might be individually
20 excluded by reason of the existence of said district.

21 (b) To publish an annual report thirty (30) days prior to the annual district meeting
22 containing a detailed financial statement showing the total receipts and expenditures of the period
23 covered by the report together with such additional material and information relating to the
24 maintenance and operating of the school or schools as may be deemed necessary by the regional
25 school committee.

26 (c) To receive and disburse funds for any regional school district purpose.

27 (d) To engage legal counsel.

28 (e) To engage and employ a superintendent of schools for the regional school district,
29 who may also be a principal or a regional school or schools, on a contractual basis for either a
30 definite or indefinite term as the regional high school committee shall determine. The person so
31 employed shall have all the powers and duties imposed upon a superintendent of schools by law.

32 (f) Said committee shall annually cause an audit to be made of the accounts of said
33 district, and on completion of each audit a report thereof shall be made to the members of said
34 committee and a copy thereof shall be submitted to the next regional school district meeting.

1 (g) Compensation for members of the said committee and/or clerk and treasurer thereof
2 shall be determined at and by the regional school district meeting as a part of the consideration
3 and action taken at said meeting in respect to operating costs and expenses of the said district.

4 (h) The regional school district treasurer shall furnish surety bond in an amount to be
5 determined annually by the said committee. The expense of said bond shall be chargeable to the
6 said district.

7 (i) Said regional school district committee may dispose of any item (or group of items) of
8 personal property with a fair market value (in the aggregate, if a group of items) of five thousand
9 dollars (\$5,000) or less, on such terms as the committee deems appropriate in its sole discretion.
10 Any item, or group of items, of personal property of the regional school district with a fair market
11 value of more than five thousand dollars (\$5,000), but less than twenty thousand dollars
12 (\$20,000) (in the aggregate, if a group of items), may be disposed of by the said committee on
13 such terms as the committee deems appropriate in its sole discretion, by offering such property
14 for sale by competitive bidding. Any property of the regional school district with a fair market
15 value equal to or greater than twenty thousand dollars (\$20,000) may be disposed of only upon a
16 vote of a regional district meeting as set forth in Sec. 9(8).

17 SECTION 2. The question of the approval of this Act shall be submitted to the electors of
18 the towns of Charlestown, Richmond and Hopkinton qualified to vote on any proposition to
19 impose a tax or for the expenditure of money at the general election in 2016. The question shall
20 be submitted in substantially the following form:

21 "Shall the act passed by the general assembly at its January 2016 session entitled "AN
22 ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 419 OF THE PUBLIC
23 LAWS, 2006, ENTITLED 'AN ACT IN AMENDMENT OF AND IN ADDITION TO
24 CHAPTER 55 OF THE PUBLIC LAWS, 1958, ENTITLED AN ACT AUTHORIZING THE
25 TOWNS OF CHARLESTOWN, RICHMOND AND HOPKINTON, TO JOIN A REGIONAL
26 SCHOOL DISTRICT INCORPORATING SAID REGIONAL SCHOOL DISTRICT, AND
27 PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION AND OPERATION OF A
28 REGIONAL SCHOOL SYSTEM FOR THE JOINT USE OF THE PARTICIPATING TOWNS,
29 WITHIN SAID REGIONAL SCHOOL DISTRICT ESTABLISHED BY THIS ACT,' AS
30 AMENDED" be approved?"

31 The warning for said election shall contain the question to be submitted. From the date
32 the election is warned until it is held, it shall be the duty of the town clerks of the respective
33 towns of Hopkinton, Charlestown and Richmond to keep a copy of the act available at their
34 offices for public inspection, but any failure of any clerk to perform this duty shall not affect the

1 validity of the election.

2 SECTION 3. This section and section 2 of this act shall take effect upon passage. The

3 remainder of this act shall take effect upon the approval by a majority in each town of those

4 voting on the question at the election prescribed by section 2 hereof.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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IN AMENDMENT OF AND IN ADDITION TO CHAPTER 419 OF THE PUBLIC LAWS, 2006, ENTITLED "AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 55 OF THE PUBLIC LAWS, 1958, ENTITLED 'AN ACT AUTHORIZING THE TOWNS OF CHARLESTOWN, RICHMOND AND HOPKINTON, TO JOIN A REGIONAL SCHOOL DISTRICT, INCORPORATING SAID REGIONAL SCHOOL DISTRICT, AND PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION AND OPERATION OF A REGIONAL SCHOOL SYSTEM FOR THE JOINT USE OF THE PARTICIPATING TOWNS, WITHIN SAID REGIONAL SCHOOL DISTRICT ESTABLISHED BY THIS ACT,' AS AMENDED"

1 This act authorizes a referendum which, if approved by the voters of Charlestown,
2 Richmond, and Hopkinton, would revise the composition of the school committee for the Chariho
3 Regional School District.

4 Sections 2 and 3 of this actually take effect upon passage. The remainder of this act
5 would take effect upon the approval by a majority in each town of those voting on the question at
6 the election prescribed in section 2.

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