

2012 -- S 2757

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LC02139
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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: Senator P Fogarty

Date Introduced: March 08, 2012

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-23 of the General Laws in Chapter 16-7 entitled "Foundation
2 Level School Support" is hereby amended to read as follows:

3 **16-7-23. Community requirements -- Adequate minimum budget provision. --** (a)

4 The school committee's budget provisions of each community for current expenditures in each
5 budget year shall provide for an amount from all sources sufficient to support the basic program
6 and all other approved programs shared by the state. Each community shall contribute local funds
7 to its school committee in an amount not less than its local contribution for schools in the
8 previous fiscal year except to the extent permitted by section 16-7-23.1. Provided, that for the
9 fiscal years 2010 and 2011 each community shall contribute to its school committee in an amount
10 not less than ninety-five percent (95.0%) of its local contribution for schools for the fiscal year
11 2009. Calculation of the annual local contribution shall not include Medicaid revenues received
12 by the municipality or district pursuant to chapter 8 of title 40. A community which has a
13 decrease in enrollment may compute maintenance of effort on a per pupil rather than on an
14 aggregate basis when determining its local contribution; furthermore, a community which
15 experiences a nonrecurring expenditure for its schools may deduct the nonrecurring expenditure
16 in computing its maintenance of effort. The deduction of nonrecurring expenditures shall be with
17 the approval of the commissioner. The courts of this state shall enforce this section by writ of
18 mandamus.

19 (1) Provided, however, that notwithstanding any provision of title 16 ("Education") to the

1 contrary, with respect to regional school districts, debt service that is no longer carried on the
2 books of any regional school district shall not be included in any annual regional school district
3 budget of said district, nor shall nonrecurring debt service be included in maintenance of effort as
4 set forth herein in subsection (a) above, nor shall any nonrecurring debt service be included in the
5 operating budget of a regional school district. For the purposes set forth above, nonrecurring
6 capital lease payments shall also be considered nonrecurring debt service. As used herein, the
7 term “regional school district” shall refer to a regional school district established pursuant to the
8 provisions of chapter 16-3 (Establishment of Regional School Districts”).

9 (b) Whenever any state funds are appropriated for educational purposes, the funds shall
10 be used for educational purposes only and all state funds appropriated for educational purposes
11 must be used to supplement any and all money allocated by a city or town for educational
12 purposes and, in no event, shall state funds be used to supplant, directly or indirectly, any money
13 allocated by a city or town for educational purposes. All state funds shall be appropriated by the
14 municipality to the school committee for educational purposes in the same fiscal year in which
15 they are appropriated at the state level even if the municipality has already adopted a school
16 budget. All state and local funds unexpended by the end of the fiscal year of appropriation shall
17 remain a surplus of the school committee and shall not revert to the municipality. Any surplus of
18 state or local funds appropriated for educational purposes shall not in any respect affect the
19 requirement that each community contribute local funds in an amount not less than its local
20 contribution for schools in the previous fiscal year, subject to subsection (a) of this section, and
21 shall not in any event be deducted from the amount of the local appropriation required to meet the
22 maintenance of effort provision in any given year.

23 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 provide that debt service that is no longer carried on the books of any
2 regional school district would not be included in that district's annual regional school district
3 budget.

4 This act would take effect upon passage.

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