

2012 -- S 2320

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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: Senators Metts, Jabour, P Fogarty, Pichardo, and Crowley

Date Introduced: February 07, 2012

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-7-44.1 of the General Laws in Chapter 16-7 entitled
2 "Foundation Level School Support" is hereby amended to read as follows:

3 **16-7-44.1. Program restrictions.** -- Housing aid shall not be provided for the purchase
4 of furniture, fixtures and equipment except in the case of a project to construct a new school or
5 new school addition that is also supported by a general obligation or lease revenue bond. Housing
6 aid shall not be provided for projects supported by capital lease agreements that: (1) are not lease
7 purchase agreements; (2) do not demonstrate a direct benefit to the school nor are located on
8 school property; and (3) do not exclude all non-capital costs such as maintenance costs prior to
9 the request for reimbursement. Housing aid shall not be provided to cover the costs of
10 "remediation" as defined in subdivision 23-19.14-3(1) and undertaken pursuant to chapter 23-
11 19.14 in connection with any project.

12 SECTION 2. Chapter 16-9 of the General Laws entitled "School Funds and Property" is
13 hereby amended by adding thereto the following section:

14 **16-9-4.2. Prohibition against siting schools on toxic waste sites.** – No new school
15 building or addition to an existing school building shall be constructed and no new school facility
16 may be housed in an existing building that is leased for school purposes if the proposed new
17 construction, addition or existing building is located on:

18 (1) Any portion of a parcel of property where more than three (3) cubic yards of
19 hazardous or solid waste were disposed; or

1 (2) Any portion of a parcel of property formerly used for industrial or manufacturing
2 purposes that is presently contaminated by hazardous materials that were likely utilized in
3 connection with those purposes, at levels that exceed the method 1 residential direct exposure
4 criteria or other residential exposure standards established by the department of environmental
5 management.

6 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 -- FOUNDATION LEVEL SCHOOL SUPPORT

- 1 This act would prohibit housing aid from being used in the costs of remediation and it
- 2 would also prohibit siting schools on toxic waste sites.
- 3 This act would take effect upon passage.

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