



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration
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Memorandum

To: The Honorable Steven M. Costantino
Chairman, House Finance Committee

The Honorable Daniel DaPonte
Chairman, Senate Finance Committee

From: Rosemary Booth Gallogly
Executive Director/State Budget Officer *RBG*

Date: April 6, 2009

Subject: Revised Article 6 for the FY 2010 Appropriations
Act (09-H-5983)

The Governor requests that Article 6, Relating to Community Support of Schools and Libraries, be replaced with the revised attached version. The amended version clarifies the intent of section two relating to maintenance of effort for local library funding. The current language allows amounts appropriated in FY 2010 to be up to eighty percent (80%) of the amount appropriated in the previous fiscal year. However, if a community had reduced funding in FY 2009, as was authorized in the FY 2009 Appropriations Act, this language would allow a community to reduce funding by an additional twenty percent (20%), which was not the intent, for a potential reduction of thirty-six percent (35%) from FY 2008 levels. The amended language would permit communities to appropriate funding not less the eighty percent (80%) of the amount appropriated in the fiscal year ending June 30, 2008.

If you have any questions regarding this amendment, feel free to call me at 222-6300 or Thomas Mullaney at 222-6414.

RBG:sm09-141
cc: Michael O'Keefe
Peter Marino
Tim Costa
Michael Cronan
Gregory Stack

ARTICLE 6

RELATING TO COMMUNITY SUPPORT OF SCHOOLS AND LIBRARIES

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

§ 16-7-23. Community requirements – Adequate minimum budget provision. – (a)

The school committee's budget provisions of each community for current expenditures in each budget year shall provide for an amount from all sources sufficient to support the basic program and all other approved programs shared by the state. Each community shall contribute local funds to its school committee in an amount not less than its local contribution for schools in the previous fiscal year. Calculation of the annual local contribution shall not include Medicaid revenues received by the municipality or district pursuant to chapter 8 of title 40. A community which has a decrease in enrollment may compute maintenance of effort on a per pupil rather than on an aggregate basis when determining its local contribution; furthermore, a community which experiences a nonrecurring expenditure for its schools may deduct the nonrecurring expenditure in computing its maintenance of effort. The deduction of nonrecurring expenditures shall be with the approval of the commissioner. For FY 2010, in computing its maintenance of effort a community may deduct the amount of general revenue sharing that is allocated to the school committee's budget in FY 2009. The courts of this state shall enforce this section by writ of mandamus.

(b) Whenever any state funds are appropriated for educational purposes, the funds shall be used for educational purposes only and all state funds appropriated for educational purposes must be used to supplement any and all money allocated by a city or town for educational purposes and, in no event, shall state funds be used to supplant, directly or indirectly, any money allocated by a city or town for educational purposes. All state funds shall be appropriated by the municipality to the school committee for educational purposes in the same

fiscal year in which they are appropriated at the state level even if the municipality has already adopted a school budget. All state and local funds unexpended by the end of the fiscal year of appropriation shall remain a surplus of the school committee and shall not revert to the municipality. Any surplus of state or local funds appropriated for educational purposes shall not in any respect affect the requirement that each community contribute local funds in an amount not less than its local contribution for schools in the previous fiscal year, subject to subsection (a) of this section, and shall not in any event be deducted from the amount of the local appropriation required to meet the maintenance of effort provision in any given year.

SECTION 2. Section 29-6-3 of the General Laws in Chapter 29-6 entitled "State Aid to Libraries" is hereby amended to read as follows:

§ 29-6-3 Eligibility requirements – Municipalities. – (a) To qualify for state aid under § 29-6-2, a city or town shall:

(1) Appropriate from local tax revenues an amount not less than the amount appropriated the previous year from local tax revenues and expended for library operating expenses, except in the fiscal years ending June 30, 2009 and June 30, 2010, during which the amount appropriated from local tax revenues is not less than eighty percent (80%) of the amount appropriated ~~from the previous year in the fiscal year ending June 30, 2008~~ from local tax revenues and expended for library operating systems. The appropriation would exclude any state funds received for public library services. Any funds received from the state shall not be used to supplant funds from local tax revenues;

(2) In the case of a city or town having more than one free public library therein, submit or cause to be submitted to the ~~department of state~~ office of library and information services a plan for the allotment or division of the proposed state aid among

the free public libraries in the city or town. The plan shall be developed by agreement among the free public libraries of the city or town;

(3) Submit or cause to be submitted to the ~~department of state~~ office of library and information services evidence that free public libraries in the city or town meet standards of service as set forth in regulations to be made by the director of state library services pursuant to the provisions of chapter 3.1 of this title or that the regulations are inappropriate for that library;

(4) Submit or cause to be submitted a plan describing how the public library or libraries plan to address one or more of the priorities established by the ~~department of state~~ office of library and information services.

(b) The director of the ~~department of state~~ office of library and information services upon application and for cause shown may authorize an annual grant-in-aid under § 29-6-2, or a portion thereof, to a city or town not fully meeting the requirements set forth in paragraphs (1) – (3) of this subsection.

(c) Decisions as to the eligibility of cities and towns for grants-in-aid under this chapter, and the amounts of the grants-in-aid, shall be made by the director of the ~~department of state~~ office of library and information services.

(d) The director of the ~~department of state~~ office of library and information services shall require a preservation plan from any public library which receives an appropriation from the state of Rhode Island which states the preservation needs and objectives of the library for the coming fiscal year. The plan shall include, but not be limited to: condition of materials, assessment of building and environmental controls, and preservation measures to be taken.

(e) The director of the ~~department of state~~ office of library and information services shall require a disaster preparedness plan from any public library which receives an appropriation from the state of Rhode Island which states the plan of action to be taken in the event of a natural or human made disaster. The plan shall be in accordance with a suggested plan published by the ~~department~~ office. The plan shall be submitted no later than January 1, 1993 and shall be updated yearly.

SECTION 3. This article shall take effect upon passage.