1	H.470
2	Introduced by Representatives Ode of Burlington, Christie of Hartford, Dunn
3	of Essex, Gannon of Wilmington, Lefebvre of Newark,
4	O'Sullivan of Burlington, Poirier of Barre City, Potter of
5	Clarendon, Rachelson of Burlington, Stuart of Brattleboro,
6	Sullivan of Burlington, Walz of Barre City, Wood of
7	Waterbury, and Wright of Burlington
8	Referred to Committee on
9	Date:
10	Subject: Education; school construction
11	Statement of purpose of bill as introduced: This bill proposes to end the period
12	of suspension of State aid for school construction projects. This bill also
13	proposes to expand the State aid for the school construction program by
14	awarding aid for food preparation and service area upgrades and renovations.
15 16	An act relating to ending the suspension of State aid for school construction projects

1	It is hereby enacted by the General Assembly of the State of Vermont:
2	Sec. 1. 2007 Acts and Resolves No. 52, Sec. 36 is amended to read:
3	Sec. 36. STATE AID FOR SCHOOL CONSTRUCTION; SUSPENSION
4	(a) The commissioner of education shall not accept, review, or act on any
5	applications for state aid under chapter 123 of Title 16 submitted after
6	March 7, 2007 unless, prior to March 7, 2007, the electorate voted funds or
7	authorized bonds, and thereafter all periods for reconsideration of the vote
8	have expired, except for those projects which are:
9	(1) eligible to be assigned first priority under 16 V.S.A. § 3448(a)(3);
10	(2) necessary to ensure the health and safety, as determined by the
11	commissioner, of students and employees using the building; or
12	(3) school consolidation projects eligible for 50 percent aid under
13	16 V.S.A. § 3448(a)(7)(C).
14	(b) It is the intent of the general assembly to use the time that state aid for
15	school construction is suspended to review the recommendations of the
16	commissioner of education and the commissioner of finance and management
17	reported under Sec. 38 of this act and, based on those recommendations,
18	develop a sustainable plan for state aid to school construction. If no plan is in
19	place by July 1, 2008, the general assembly will extend the period of
20	suspension until a plan is in place; provided, however, that any extension of the
21	period of suspension shall end on or before June 30, 2017.

1	Sec. 2. 2008 Acts and Resolves No. 200, Sec. 45, as amended by 2009 Acts
2	and Resolves No. 54, Sec. 22 is further amended to read:
3	Sec. 45. CONTINUATION OF SUSPENSION OF STATE AID FOR
4	SCHOOL CONSTRUCTION
5	(a) In Sec. 36 of No. 52 of the Acts of 2007, the general assembly
6	suspended state aid for school construction in order to provide time to enable
7	the commissioner of education and the commissioner of finance and
8	management to make recommendations for a sustainable plan for state aid to
9	school construction. In the absence of a viable plan for funding school
10	construction, the general assembly hereby extends the period of suspension
11	until a plan is developed and adopted; provided, however, that the period of
12	suspension shall end on or before June 30, 2017.
13	* * *
14	Sec. 3. 2013 Acts and Resolves No. 51, Sec. 45 is amended to read:
15	Sec. 45. STATE AID FOR SCHOOL CONSTRUCTION; EXTENSION
16	OF SUSPENSION
17	(a) In 2007 Acts and Resolves No. 52, Sec. 36, the General Assembly
18	suspended state aid for school construction in order to permit the Secretary of
19	Education and the Commissioner of Finance and Management to recommend a
20	sustainable plan for state aid for school construction.

1	(b) In 2008 Acts and Resolves No. 200, Sec. 45, as amended by 2009 Acts
2	and Resolves No. 54, Sec. 22, the General Assembly, in the absence of a
3	recommendation, extended the suspension until a sustainable plan for state aid
4	for school construction is developed and adopted.
5	(c) State aid remains suspended pursuant to the terms of 2008 Acts and
6	Resolves No. 200, Sec. 45 as amended by 2009 Acts and Resolves No. 54,
7	Sec. 22 until on or before June 30, 2017.
8	* * *
9	Sec. 4. STATE AID FOR SCHOOL CONSTRUCTION; END OF
10	SUSPENSION
11	(a) Beginning in fiscal year 2017, the Secretary of Education shall accept
12	and review any applications for State aid pursuant to 16 V.S.A. chapter 123
13	submitted after March 7, 2017.
14	(b) Beginning on January 15, 2018, the State Board of Education shall
15	present its annual capital construction funding request to the House Committee
16	on Corrections and Institutions and the Senate Committee on Institutions.
17	Sec. 5. 16 V.S.A. § 3448 is amended to read:
18	§ 3448. APPROVAL AND FUNDING OF SCHOOL CONSTRUCTION
19	PROJECTS; RENEWABLE ENERGY
20	(a) Construction aid.

(1) Preliminary application for construction aid. A district or independent school eligible for assistance under section 3447 of this title, that intends to construct or purchase a new school, or make extensive additions or alterations to its existing school, and desires to avail itself of State school construction aid, shall submit a written preliminary application to the Secretary. A preliminary application shall include information required by the State Board by rule and shall specify the need for and purpose of the project.

* * *

- (7) Award of construction aid.
- (A) Except as provided in other subdivisions of this subdivision (7) and elsewhere in law, the amount of an award shall be 30 percent of the approved cost of the project.
- (B) The amount of an award for the incremental costs associated with the installation of a space-heating, water-heating, cooling, or refrigeration system that uses biomass, a geothermal ground-source, wind, or solar energy as the primary heating or cooling source shall be 75 percent of the approved cost of those elements of the project specifically related to the renewable fuel source being used; provided that those elements may include the costs of necessary equipment, a chimney, air quality technology, and additional square footage necessary to house the heating unit and fuel; and further provided that those elements shall not include the costs of staff areas, site improvements

1	relating to fuel delivery, and other ancillary costs as determined by the
2	Secretary.
3	(C) The amount of an award shall be 50 percent of the approved cost
4	of a project or applicable portion of a project that results in consolidation of
5	two or more school buildings and that will serve the educational needs of
6	students in a more cost-effective and educationally appropriate manner as
7	compared to individual projects constructed separately. A decision of the
8	Secretary as to eligibility for aid under this subdivision (C) shall be final. This
9	subdivision (C) shall apply only to a project that has received preliminary
10	approval by June 30, 2013.
11	(D) The amount of an award shall be 75 percent of the approved cost
12	of a project that results in an upgrade or renovation of food preparation and
13	food service areas in a school building, including a kitchen or cafeteria.
14	* * *
15	Sec. 6. EFFECTIVE DATE
16	This act shall take effect on passage.