



General Assembly

Raised Bill No. 343

February Session, 2004

LCO No. 1526

* _____SB00343ED____031504_____*

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING SCHOOL CONSTRUCTION PROGRAM REVISIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-290a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2004*):

3 The Commissioner of Education [shall] may provide advisory
4 services to local officials and agencies on long range school plant
5 planning and educational specifications and review the sketches and
6 preliminary plans and outline specifications for any school building
7 project and the educational program which it is designed to house and
8 advise boards of education and school building committees regarding
9 the suitability of such plans on the basis of educational effectiveness,
10 sound construction and reasonable economy of cost, including energy
11 economy and efficiency.

12 Sec. 2. Section 10-290b of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective July 1, 2004*):

14 The Commissioner of Education [shall] may arrange for the

15 collection, publication and distribution of information on procedures
16 for school building committees, building methods and materials
17 suitable for school construction and on relevant educational methods,
18 requirements and materials, and [shall] may furnish such information
19 to towns or regional school districts planning school construction. Said
20 commissioner [, through the school construction economy service,
21 shall] may from time to time inform local officials and agencies
22 involved in school construction of the services available under sections
23 10-290a to 10-290d, inclusive, as amended by this act.

24 Sec. 3. Subsection (b) of section 10-292 of the general statutes, as
25 amended by section 31 of public act 03-76, is repealed and the
26 following is substituted in lieu thereof (*Effective July 1, 2004*):

27 (b) Notwithstanding the provisions of subsection (a) of this section,
28 a town or regional school district may submit final plans and
29 specifications for oil tank replacement, roof replacement, asbestos
30 abatement, code violation, energy conservation, network wiring,
31 certified school indoor air quality emergency projects or projects for
32 which state assistance is not sought, to the local officials having
33 jurisdiction over such matters for review and written approval. The
34 total costs for an asbestos abatement, code violation, energy
35 conservation, [or] network wiring, or certified school indoor air quality
36 emergency project eligible for review and approval under this
37 subsection shall not exceed one million dollars. Except for projects for
38 which state assistance is not sought and projects for which the town or
39 regional school district is using a state contract pursuant to subsection
40 (d) of this section, no school building project described in this
41 subsection shall go out for bidding purposes prior to the receipt and
42 acceptance by the Department of Education of such written approval.

43 Sec. 4. (NEW) (*Effective July 1, 2004*) For any school building project
44 authorized by the General Assembly on or after July 1, 2005, or any
45 other alteration of a classroom or other space where students learn,
46 such classrooms and such spaces shall be constructed or altered in

47 accordance with American Nations Standard: Acoustical Performance
48 Criteria, Design Requirements and Guidelines for Schools, ANSI
49 S12.60-2002. For purposes of this section, "alteration" means a change
50 to any feature of a classroom that has a measurable effect on (1)
51 background noise level, as defined in Section 3.2.2 of ANSI S12.60-
52 2002, or (2) reverberation time, as defined in Section 3.2.3.1 of ANSI
53 S12.60-2002. The provisions of this section shall not apply to
54 classrooms or other spaces where students learn where adequate
55 acoustical modifications cannot be made without compromising health
56 and safety, or the purpose or function of a specific classroom or other
57 space where students learn.

58 Sec. 5. Section 10-283a of the general statutes is repealed and the
59 following is substituted in lieu thereof (*Effective from passage*):

60 A committee to review the listing of eligible school building projects
61 submitted pursuant to section 10-283, as amended, shall be appointed
62 [annually] biennially on or before July first consisting of eight persons
63 who are members of the General Assembly at the time of their
64 appointment as follows: Two persons each appointed by the speaker of
65 the House of Representatives, the minority leader of the House of
66 Representatives, the president pro tempore of the Senate and the
67 minority leader of the Senate. The listing of eligible projects by
68 category shall be submitted to said committee prior to December
69 fifteenth annually to determine if said listing is in compliance with the
70 categories described in subsection (a) of section 10-283, as amended,
71 and existing standards established by the State Board of Education
72 pursuant to said regulations. The committee may modify the listing if
73 it finds that the Commissioner of Education acted in an arbitrary or
74 unreasonable manner in establishing the listing. Such modified listing
75 shall be in compliance with said standards and categories. Prior to
76 February first annually, the committee shall submit the approved or
77 modified listing of projects to the Governor and the General Assembly.

78 Sec. 6. Subsection (a) of section 10-287 of the general statutes is

79 repealed and the following is substituted in lieu thereof (*Effective July*
80 *1, 2004*):

81 (a) A grant for a school building project under this chapter [to meet
82 project costs not eligible for state financial assistance under section 10-
83 287a] shall be paid in installments, the number and time of payment of
84 which shall correspond to the number and time of principal
85 installment payments on municipal bonds, including principal
86 payments to retire temporary notes renewed for the third and
87 subsequent years pursuant to section 7-378a or 7-378e, issued for the
88 purpose of financing such costs and shall be equal to the state's share
89 of project costs per principal installment on municipal bonds or notes,
90 except in cases where the project has been fully paid for, in which case
91 the number of installments shall be five or, in the case of a regional
92 vocational agriculture center or a cooperative regional special
93 educational facility, shall be one; provided final payment shall not be
94 made prior to an audit conducted by the State Board of Education for
95 each project for which a final calculation was not made prior to July 31,
96 1983. Grants under twenty-five thousand dollars shall be paid in one
97 lump sum. The Commissioner of Education shall certify to the State
98 Comptroller, upon completion of the issuance of bonds or such
99 renewal of temporary notes to finance each school building project, the
100 dates and amounts of grant payments to be made pursuant to this
101 chapter and the State Comptroller shall draw an order on the State
102 Treasurer upon such certification to pay the amounts so certified when
103 due. All site acquisition and project cost grant payments shall be made
104 at least ten days prior to the principal payment on bonds or temporary
105 notes related thereto or short-term financing issued to finance such site
106 acquisition or project. Annual grant installments paid pursuant to this
107 section on principal installment payments to retire temporary notes
108 renewed pursuant to section 7-378a or 7-378e shall be based each year
109 on the amount required to be retired pursuant to said sections, as
110 adjusted for any ineligible project costs, and shall be paid only if at the
111 time such temporary notes are renewed the rate of interest applicable
112 to such notes is less than the rate of interest that would be applicable

113 with respect to twenty-year bonds if issued at the time of such
114 renewal. The determination related to such rates of interest pursuant to
115 this subsection may be reviewed and shall be subject to approval by
116 the Commissioner of Education prior to renewal of such notes. In the
117 event that a school building project is not completed at the time bonds
118 or temporary notes related thereto are issued to finance the project, the
119 certification of the grant payments made pursuant to this section by
120 the Commissioner of Education may be based on estimates, provided
121 upon completion of such project and notification of final acceptance to
122 the state, the Commissioner of Education shall adjust and recertify the
123 dates and amounts of subsequent grant payments based on the state's
124 share of final eligible costs.

125 Sec. 7. Section 10-287c of the general statutes is repealed and the
126 following is substituted in lieu thereof (*Effective July 1, 2004*):

127 The State Board of Education is authorized to prescribe such rules
128 and regulations as may be necessary to implement the provisions of
129 this chapter, provided any rules or regulations to implement the
130 provisions of sections 10-283, as amended, 10-287, as amended by this
131 act, [10-287a,] and 10-292d [and subsection (d) of section 10-292m] shall
132 be prescribed in consultation with the Secretary of the Office of Policy
133 and Management. [Whenever the Commissioner of Education has
134 made a commitment for a grant prior to the completion of a project as
135 provided in section 10-287a, and said commissioner has made
136 advances thereon as provided in said section, any such rules or
137 regulations prescribed in accordance with this section which were in
138 effect at the time of such commitment and advances shall be applicable
139 to any additional commitment and subsequent advances with respect
140 to said project.]

141 Sec. 8. Section 10-287d of the general statutes, as amended by
142 section 20 of public act 03-2 of the September 8 special session, is
143 repealed and the following is substituted in lieu thereof (*Effective July*
144 *1, 2004*):

145 For the purposes of funding (1) grants to projects that have received
146 approval of the State Board of Education pursuant to sections 10-287,
147 as amended by this act, [and 10-287a,] subsection (a) of section 10-65
148 and section 10-76e, (2) grants to assist school building projects to
149 remedy safety and health violations and damage from fire and
150 catastrophe, and (3) regional vocational-technical school projects
151 pursuant to section 10-283b, the State Treasurer is authorized and
152 directed, subject to and in accordance with the provisions of section 3-
153 20, as amended, to issue bonds of the state from time to time in one or
154 more series in an aggregate amount not exceeding three billion five
155 hundred forty-six million three hundred sixty thousand dollars,
156 provided four hundred fifty-eight million dollars of said authorization
157 shall be effective July 1, 2003. Bonds of each series shall bear such date
158 or dates and mature at such time or times not exceeding thirty years
159 from their respective dates and be subject to such redemption
160 privileges, with or without premium, as may be fixed by the State
161 Bond Commission. They shall be sold at not less than par and accrued
162 interest and the full faith and credit of the state is pledged for the
163 payment of the interest thereon and the principal thereof as the same
164 shall become due, and accordingly and as part of the contract of the
165 state with the holders of said bonds, appropriation of all amounts
166 necessary for punctual payment of such principal and interest is
167 hereby made, and the State Treasurer shall pay such principal and
168 interest as the same become due. The State Treasurer is authorized to
169 invest temporarily in direct obligations of the United States, United
170 States agency obligations, certificates of deposit, commercial paper or
171 bank acceptances such portion of the proceeds of such bonds or of any
172 notes issued in anticipation thereof as may be deemed available for
173 such purpose.

174 Sec. 9. Section 10-292m of the general statutes is repealed and the
175 following is substituted in lieu thereof (*Effective July 1, 2004*):

176 [(a)] Notwithstanding any other provision of the general statutes, in
177 the case of any school building project for which the total cost is less

178 than one million dollars, the state shall not require permanent local
179 financing prior to the payment of an interest subsidy grant under
180 sections 10-292c to 10-292n, inclusive, as amended. In any such case,
181 the school district may pay off its debt on any such project over a
182 period not to exceed four years if the school district promptly applies
183 all interest subsidy grant payments toward interest costs on such debt
184 as the same becomes due and payable and provides for the payment of
185 such debt in equal annual installments commencing no later than one
186 year from the date of issue. The interest subsidy grant percentage on
187 such debt of the district shall be the same as if permanent financing
188 had been used.

189 [(b) Interest subsidy grants shall be available for bonds issued after
190 July 1, 1971, for the local share of the cost of a school building project
191 eligible for assistance under section 10-287a. The State Comptroller is
192 authorized and directed to draw an order on the State Treasurer upon
193 certification of the Commissioner of Education to pay any regional
194 school district, town, consolidated town and city, and consolidated
195 town and borough an interest subsidy grant on such bonds issued after
196 July 1, 1971, for the local share of the cost of such school building
197 project but not in excess of the amount certified as such share by the
198 Commissioner of Education for such project. The local share of the cost
199 of such project shall be the total cost of such project, as determined by
200 the Commissioner of Education to be eligible for assistance under
201 section 10-287a, less the total grant payments made by the state. Such
202 interest subsidy shall be the difference between four per cent per
203 annum and the lower of six per cent per annum or the net interest cost
204 on such bonds. Such payments may be made on a reimbursement basis
205 in the event the bonds were issued prior to the date of certification
206 from the commissioner to the State Comptroller in accordance with
207 sections 10-292c to 10-292n, inclusive.]

208 Sec. 10. (*Effective July 1, 2004*) Sections 3-76t, 10-287a, 10-287f and 10-
209 287e of the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>July 1, 2004</i>
Sec. 4	<i>July 1, 2004</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>July 1, 2004</i>
Sec. 7	<i>July 1, 2004</i>
Sec. 8	<i>July 1, 2004</i>
Sec. 9	<i>July 1, 2004</i>
Sec. 10	<i>July 1, 2004</i>

ED *Joint Favorable*