



General Assembly

January Session, 2007

Raised Bill No. 1406

LCO No. 5380

05380_____ED_

Referred to Committee on Education

Introduced by:

(ED)

AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CONCERNING CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS.

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

1 Section 1. (*Effective from passage*) The Commissioner of Education
2 having reviewed applications for state grants for public school
3 building projects in accordance with section 10-283 of the general
4 statutes on the basis of priorities for such projects and standards for
5 school construction established by the State Board of Education, and
6 having prepared a listing of all such eligible projects ranked in order of
7 priority, including a separate schedule of previously authorized
8 projects which have changed substantially in scope or cost, as
9 determined by said commissioner together with the amount of
10 estimated grant with respect to each eligible project, and having
11 submitted such listing of eligible projects, prior to December 15, 2006,
12 to a committee of the General Assembly established under section
13 10-283a of the general statutes for the purpose of reviewing such
14 listing, is hereby authorized to enter into grant commitments on behalf
15 of the state in accordance with said section 10-283 with respect to the

16 priority listing of such projects and in such estimated amounts as
17 approved by said committee prior to February 1, 2007, as follows:

18 (1) Estimated Grant Commitments.

T1	School District	Estimated	Estimated
T2	School	Project Costs	Grant
T3	Project Number		
T4			
T5	HARTFORD		
T6	Hooker Magnet School		
T7	0293 MAG/EA	\$ 41,775,200	\$ 39,686,440
T8			
T9	NEW HAVEN		
T10	Mauro Interdistrict PK-8 Magnet		
T11	0356 MAG/EA	30,900,000	29,355,000
T12			
T13	WINDHAM		
T14	Windham Interdistrict Magnet		
T15	0071 MAG/N	40,000,000	38,000,000
T16			
T17	BRIDGEPORT		
T18	Aquaculture Center		
T19	0158 VA/EA	31,500,000	29,925,000
T20			
T21	SHELTON		
T22	Grade 5 & 6 Upper Elementary		
T23	0081 EA/PS	41,478,715	17,628,454
T24			
T25	CREC		
T26	Soundbridge		
T27	0092 SP/EA	7,129,000	6,772,550
T28			
T29	CES		
T30	CES/Special Education Center		

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T31	0033 SP/EA	7,900,000	7,505,000
T32			
T33	BLOOMFIELD		
T34	Carmen Arace Middle School		
T35	0075 A/RR	28,818,300	14,305,404
T36			
T37	BLOOMFIELD		
T38	Laurel School		
T39	0076 EA	11,027,600	5,474,101
T40			
T41	BLOOMFIELD		
T42	Bloomfield High School		
T43	0077 EA/RR	35,711,300	17,727,089
T44			
T45	BLOOMFIELD		
T46	Metacomet School		
T47	0078 EA	9,683,300	4,806,790
T48			
T49	BLOOMFIELD		
T50	J.P. Vincent School		
T51	0079 EA	9,141,000	4,537,592
T52			
T53	BRIDGEPORT		
T54	Columbus School		
T55	0164 EA	8,650,000	6,920,000
T56			
T57	GREENWICH		
T58	Glenville School		
T59	0110 EA/RR	22,000,000	4,400,000
T60			
T61	MILFORD		
T62	Jonathan Law High School		
T63	0171 EA/EC	2,200,000	887,920
T64			

T65	NEW HAVEN		
T66	East Rock Community School		
T67	0355 N	40,000,000	31,428,000
T68			
T69	SCOTLAND		
T70	Scotland Elementary School		
T71	0008 EA	11,538,000	7,788,150
T72			
T73	SIMSBURY		
T74	Tariffville School		
T75	0102 EA	6,200,000	2,103,660
T76			
T77	STAMFORD		
T78	Cloonan School		
T79	0263 A	357,200	102,052
T80			
T81	WATERFORD		
T82	New Oswegatchie Elem. School		
T83	0100 N	27,755,268	9,814,263
T84			
T85	WOLCOTT		
T86	Wolcott High School		
T87	0075 A	325,000	212,420
T88			
T89	CTHSS - BRISTOL		
T90	Bristol Technical Education Center		
T91	0020 VT/EA	25,844,000	25,844,000
T92			
T93	CTHSS - STRATFORD		
T94	Stratford Sch. for Aviation Maint.		
T95	0021 VT/EA	11,175,000	11,175,000
T96			
T97	EAST HARTFORD		
T98	East Hartford High School		

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T99	0232 EC	650,000	466,635
T100			
T101	GUILFORD		
T102	Calvin Leete School		
T103	0093 A/EC	5,170,000	1,587,707
T104			
T105	MANSFIELD		
T106	Mansfield Middle School		
T107	0066 A	3,800,000	2,795,660
T108			
T109	MILFORD		
T110	Meadowside School		
T111	0172 EC	600,000	242,160
T112			
T113	MILFORD		
T114	Calf Pen Meadow School		
T115	0173 EC	600,000	242,160
T116			
T117	MONTVILLE		
T118	Central Administration		
T119	0090 BE/ A	387,910	137,844
T120			
T121	SOUTH WINDSOR		
T122	Wapping Elementary School		
T123	0076 EC	519,000	235,418
T124			
T125	WOODBIDGE		
T126	Beecher Road School		
T127	0023 EC	145,600	40,564

19 (2) Previously Authorized Projects Which Have Changed
20 Substantially in Scope or Cost that are Seeking First Reauthorization.

T128	School District	Authorized	Requested
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T129	School		
T130	Project Number		
T131			
T132	BLOOMFIELD		
T133	Big Picture Magnet High School		
T134	011-0073 MAG/PF		
T135			
T136	Estimated...		
T137	Total Project Costs	\$ 5,517,500	\$ 6,087,660
T138	Total Grant	5,241,625	5,783,277
T139			
T140	MANCHESTER		
T141	Great Path Academy Magnet		
T142	578-0001 MAG/N		
T143			
T144	Estimated...		
T145	Total Project Costs	28,000,000	32,456,399
T146	Total Grant	28,000,000	32,456,399
T147			
T148	AVON		
T149	Avon High School		
T150	004-0062 EA/RR		
T151			
T152	Estimated...		
T153	Total Project Costs	25,998,000	30,698,000
T154	Total Grant	6,405,907	7,563,987
T155			
T156	BETHEL		
T157	Bethel High School		
T158	009-0057 EA		
T159			
T160	Estimated...		
T161	Total Project Costs	25,315,262	32,337,885
T162	Total Grant	10,488,113	13,397,586
T163			
T164	DANBURY		
T165	New Elementary School		
T166	(Roberts Ave. School Replacement)		
T167	034-0130 N		
T168			

T169	Estimated...		
T170	Total Project Costs	16,816,000	20,600,000
T171	Total Grant	8,288,606	10,153,740
T172			
T173	NEW BRITAIN		
T174	Alternative Behavior Center		
T175	089-0156 N		
T176			
T177	Estimated...		
T178	Total Project Costs	2,255,000	2,255,000
T179	Total Grant	1,787,990	1,787,990
T180			
T181	NEW BRITAIN		
T182	New Britain High School		
T183	089-0157 EA		
T184			
T185	Estimated...		
T186	Total Project Costs	11,630,000	14,294,000
T187	Total Grant	9,221,427	11,333,713
T188			
T189	NEW HAVEN		
T190	Worthington Hooker School		
T191	093-0340 A/RR		
T192			
T193	Estimated...		
T194	Total Project Costs	7,976,391	12,950,000
T195	Total Grant	6,352,398	10,313,380
T196			
T197	NORWALK		
T198	Norwalk High School		
T199	103-0233 EA		
T200			
T201	Estimated...		
T202	Total Project Costs	32,500,000	39,397,861
T203	Total Grant	11,839,750	14,352,641
T204			
T205	NORWALK		
T206	Columbus Elementary School		
T207	103-0234 A/EC		
T208			
T209	Estimated...		

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T210	Total Project Costs	3,750,000	4,700,000
T211	Total Grant	1,366,125	1,712,210
T212			
T213	NORWALK		
T214	Tracey School		
T215	103-0235 A/EC		
T216			
T217	Estimated...		
T218	Total Project Costs	4,300,000	4,848,000
T219	Total Grant	1,566,490	1,766,126
T220			
T221	PLAINVILLE		
T222	Louis Toffolon School		
T223	110-0059 EA/RR		
T224			
T225	Estimated...		
T226	Total Project Costs	16,000,000	23,100,000
T227	Total Grant	10,513,600	15,179,010
T228			
T229	STAFFORD		
T230	Stafford High School		
T231	134-0049 RNV/E		
T232			
T233	Estimated...		
T234	Total Project Costs	22,100,000	27,200,000
T235	Total Grant	16,022,500	19,720,000
T236			
T237	STAMFORD		
T238	Springdale School		
T239	135-0257 A/TCH		
T240			
T241	Estimated...		
T242	Total Project Costs	170,207	260,154
T243	Total Grant	51,062	78,046
T244			
T245	WEST HARTFORD		
T246	King Philip Middle School		
T247	155-0219 A		
T248			
T249	Estimated...		
T250	Total Project Costs	1,100,000	1,400,000

T251	Total Grant	463,540	589,960
T252			
T253	WEST HAVEN		
T254	Forest School		
T255	156-0128 EA/RR		
T256			
T257	Estimated...		
T258	Total Project Costs	3,850,000	6,111,878
T259	Total Grant	2,914,835	4,627,303
T260			
T261	REGIONAL SCHOOL DISTRICT #19		
T262	E.O. Smith High School		
T263	at Depot Campus		
T264	219-0017 EA/RR		
T265			
T266	Estimated...		
T267	Total Project Costs	1,998,000	2,725,000
T268	Total Grant	1,669,729	2,277,283

21 (3) Previously Authorized Projects Which Have Changed
 22 Substantially in Scope or Cost that are Seeking Second
 23 Reauthorization.

T269	School District	Authorized	Requested
T270	School		
T271	Project Number		
T272			
T273	HARTFORD		
T274	University of Hartford Science and		
T275	Engineering Magnet		
T276	064-0287 MAG/N		
T277			
T278	Estimated...		
T279	Total Project Costs	\$ 36,627,000	\$ 41,605,500
T280	Total Grant	34,795,650	39,525,225
T281			
T282	NEW HAVEN		
T283	New Jepson Interdistrict Magnet		

T284	093-0334 MAG/N		
T285			
T286	Estimated...		
T287	Total Project Costs	37,000,000	40,000,000
T288	Total Grant	37,000,000	40,000,000
T289			
T290	NEW LONDON		
T291	Science/Technology High School		
T292	Magnet		
T293	095-0078 MAG/EA		
T294			
T295	Estimated...		
T296	Total Project Costs	20,625,000	22,625,000
T297	Total Grant	20,625,000	22,625,000
T298			
T299	BRIDGEPORT		
T300	New East End Elementary		
T301	015-0129 N		
T302			
T303	Estimated...		
T304	Total Project Costs	40,955,000	48,077,952
T305	Total Grant	32,764,000	38,462,362
T306			
T307	HAMDEN		
T308	Hamden High School		
T309	062-0091 A		
T310			
T311	Estimated...		
T312	Total Project Costs	1,884,240	2,629,211
T313	Total Grant	1,204,595	1,680,855
T314			
T315	WALLINGFORD		
T316	Cook Hill School		
T317	148-0135 EA		
T318			
T319	Estimated...		
T320	Total Project Costs	5,068,000	5,963,321
T321	Total Grant	2,733,172	3,216,019
T322			
T323	WALLINGFORD		
T324	Highland School		

T325	148-0136 EA		
T326			
T327	Estimated...		
T328	Total Project Costs	5,354,000	6,480,017
T329	Total Grant	2,887,412	3,494,673
T330			
T331	WALLINGFORD		
T332	Parker Farms School		
T333	148-0137 EA		
T334			
T335	Estimated...		
T336	Total Project Costs	3,370,000	5,130,961
T337	Total Grant	1,817,441	2,767,127
T338			
T339	WALLINGFORD		
T340	Pond Hill School		
T341	148-0138 EA		
T342			
T343	Estimated...		
T344	Total Project Costs	3,876,000	4,796,000
T345	Total Grant	2,090,327	2,586,483
T346			
T347	WALLINGFORD		
T348	Evarts C. Stevens School		
T349	148-0140 EA		
T350			
T351	Estimated...		
T352	Total Project Costs	4,784,000	5,718,897
T353	Total Grant	2,580,011	3,084,201
T354			
T355	WALLINGFORD		
T356	Lyman Hall High School		
T357	148-0141 EA		
T358			
T359	Estimated...		
T360	Total Project Costs	13,249,000	15,123,636
T361	Total Grant	7,145,186	8,156,177
T362			
T363	WALLINGFORD		
T364	James H. Moran Middle		
T365	148-0143 EA		

T366			
T367	Estimated...		
T368	Total Project Costs	2,111,000	3,016,920
T369	Total Grant	1,138,462	1,627,025
T370			
T371	WALLINGFORD		
T372	Dag Hammarskjold School		
T373	148-0144 A		
T374			
T375	Estimated...		
T376	Total Project Costs	2,554,000	3,143,270
T377	Total Grant	1,377,372	1,695,166
T378			
T379	WATERTOWN		
T380	Swift Middle School		
T381	153-0048 EA		
T382			
T383	Estimated...		
T384	Total Project Costs	26,576,685	33,758,130
T385	Total Grant	15,565,964	19,772,137

24 Sec. 2. Subdivision (18) of section 10-282 of the general statutes is
 25 repealed and the following is substituted in lieu thereof (*Effective July*
 26 *1, 2007*):

27 (18) "Renovation" means a school building project to totally
 28 refurbish an existing building (A) which results in the renovated
 29 facility taking on a useful life comparable to that of a new facility and
 30 which will cost less than building a new facility as determined by the
 31 department, provided the school district may submit a feasibility study
 32 and cost analysis of the project prepared by an independent licensed
 33 architect to the department prior to final plan approval, [;] (B) which
 34 was renovated in accordance with this subdivision during the twenty-
 35 year period ending on the date of application, and (C) of which not less
 36 than seventy-five per cent is at least thirty years old.

37 Sec. 3. Section 10-285a of the general statutes is amended by adding
 38 subsection (i) as follows (*Effective July 1, 2007*):

39 (NEW) (i) For all projects authorized on or after July 1, 2007, all
40 attorneys' fees and court costs related to litigation shall be eligible for
41 state school construction grant assistance only if the grant applicant is
42 the prevailing party in any such litigation.

43 Sec. 4. Section 10-286d of the general statutes is amended by adding
44 subsection (c) as follows (*Effective July 1, 2007*):

45 (NEW) (c) For projects authorized, and sites selected for school use,
46 on and after July 1, 2007, remediation costs of the site and site
47 improvements eligible for grant assistance under this chapter shall not
48 exceed twenty-five per cent of the appraised value of the site with
49 improvements unless the purchase price is reduced such that the sum
50 of the purchase price plus remediation costs does not exceed one
51 hundred twenty-five per cent of the appraised value of the site and
52 improvements.

53 Sec. 5. Subdivision (2) of subsection (a) of section 10-283 of the
54 general statutes is repealed and the following is substituted in lieu
55 thereof (*Effective July 1, 2007*):

56 (2) Each school building project shall be assigned to a category on
57 the basis of whether such project is primarily required to: (A) Create
58 new facilities or alter existing facilities to provide for mandatory
59 instructional programs pursuant to this chapter, for physical education
60 facilities in compliance with Title IX of the Elementary and Secondary
61 Education Act of 1972 where such programs or such compliance
62 cannot be provided within existing facilities or for the correction of
63 code violations which cannot be reasonably addressed within existing
64 program space; (B) create new facilities or alter existing facilities to
65 enhance mandatory instructional programs pursuant to this chapter or
66 provide comparable facilities among schools to all students at the same
67 grade level or levels within the school district unless such project is
68 otherwise explicitly included in another category pursuant to this
69 section; and (C) create new facilities or alter existing facilities to
70 provide supportive services, provided in no event shall such

71 supportive services include swimming pools, auditoriums, outdoor
72 athletic facilities, tennis courts, elementary school playgrounds, site
73 improvement or garages or storage, parking or general recreation
74 areas. All applications submitted prior to the first day of July in any
75 year shall be reviewed promptly by the commissioner and the amount
76 of the grant for which such project is eligible shall be estimated. The
77 commissioner shall annually prepare a listing of all such eligible school
78 building projects listed by category together with the amount of the
79 estimated grants therefor and shall submit the same to the Governor
80 and the General Assembly on or before the fifteenth day of December,
81 except as provided in section 10-283a, with a request for authorization
82 to enter into grant commitments. Each such listing submitted after
83 December 1995 shall include a separate schedule of authorized projects
84 which have changed in scope or cost to a degree determined by the
85 commissioner. Notwithstanding any provision of this chapter, no such
86 project that has changed in scope or cost to the degree determined by
87 the commissioner, shall be eligible for reimbursement under this
88 chapter unless it appears on such list. Each such listing submitted after
89 December 2005 shall include a separate schedule of authorized projects
90 which have changed in scope or cost to a degree determined by the
91 commissioner once, and a separate schedule of authorized projects
92 which have changed in scope or cost to a degree determined by the
93 commissioner twice. On and after July 1, 2006, no project, other than a
94 project for a regional vocational-technical school, may appear on the
95 separate schedule of authorized projects which have changed in cost
96 more than twice. The percentage determined pursuant to section 10-
97 285a at the time a school building project on such schedule was
98 originally authorized shall be used for purposes of the grant for such
99 project. On and after July 1, 2006, a project that was not previously
100 authorized as an interdistrict magnet school shall not receive a higher
101 percentage for reimbursement than that determined pursuant to
102 section 10-285a at the time a school building project on such schedule
103 was originally authorized. The General Assembly shall annually
104 authorize the commissioner to enter into grant commitments on behalf

105 of the state in accordance with the commissioner's categorized listing
106 for such projects as the General Assembly shall determine. The
107 commissioner may not enter into any such grant commitments except
108 pursuant to such legislative authorization. Any regional school district
109 which assumes the responsibility for completion of a public school
110 building project shall be eligible for a grant pursuant to subdivision (5)
111 or (6), as the case may be, of subsection (a) of section 10-286, when
112 such project is completed and accepted by such regional school
113 district.

114 Sec. 6. Subsection (a) of section 10-283b of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective July*
116 *1, 2007*):

117 (a) On and after July 1, 1999, the Commissioner of Education shall
118 include school building projects for the regional vocational-technical
119 schools on the list developed pursuant to section 10-283. Prior to
120 inclusion on the list, such projects shall be reviewed by the Department
121 of Public Works. The adoption of the list by the General Assembly and
122 authorization by the State Bond Commission of the issuance of bonds
123 pursuant to section 10-287d shall fund the full cost of the projects. On
124 or after July 1, 2007, the commissioner may approve applications for
125 grants to assist school building projects for the regional vocational-
126 technical school system to remedy damage from fire and catastrophe,
127 to correct safety, health and other code violations, to replace roofs, to
128 remedy a certified school indoor air quality emergency, or to purchase
129 and install portable classroom buildings at any time within the limit of
130 available grant authorization and to make payments on such a project
131 within the limit of appropriated funds, provided portable classroom
132 building projects do not create a new facility or cause an existing
133 facility to be modified so that the portable buildings comprise a
134 substantial percentage of the total facility area, as determined by the
135 commissioner. Funds for the projects shall be transferred to the
136 Department of Public Works and, upon such transfer, the projects shall
137 be subject to the requirements of chapters 59 and 60.

138 Sec. 7. Subsection (a) of section 10-286 of the general statutes is
 139 amended by adding subdivision (11) as follows (*Effective July 1, 2007*):

140 (NEW) (11) In the case of a project involving purchase and
 141 installation of a fuel cell and related interconnection devices or
 142 equipment, the eligible percentage, as determined in section 10-285a,
 143 of the eligible costs as determined by the Commissioner of Education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2007</i>	10-282(18)
Sec. 3	<i>July 1, 2007</i>	10-285a
Sec. 4	<i>July 1, 2007</i>	10-286d
Sec. 5	<i>July 1, 2007</i>	10-283(a)(2)
Sec. 6	<i>July 1, 2007</i>	10-283b(a)
Sec. 7	<i>July 1, 2007</i>	10-286(a)

Statement of Purpose:

To authorize state grant commitments for school building projects, to limit the grant eligibility of school construction renovation projects to only those facilities where at least seventy-five per cent of the total facility area is at least thirty years old and it has been at least twenty years since the last major renovation, to provide that for all projects authorized on or after July 1, 2007, all attorneys' fees and court costs related to litigation shall be eligible for state school construction grant assistance only if the town is the prevailing party, to limit school construction grant eligibility of site remediation costs so that site remediation costs eligible for state grant assistance not exceed twenty-five per cent of the appraised value of the site unless the purchase price of the site is adjusted so that the purchase price plus remediation costs do not exceed one hundred twenty-five per cent of the appraised value, to exempt the regional vocational-technical school system from requirements preventing projects from appearing on a list of projects seeking a change in scope or cost more than twice without reauthorization, to clarify that regional-vocational technical school projects shall be treated equally to other school projects when seeking grants for roof replacements, code compliance and other safety, health

or emergency repairs and to permit reimbursement for fuel cells under the school construction program.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]