

SENATE No. 93

By Mr. Kirby, a petition (accompanied by bill, Senate, No. 93) of Edward P. Kirby, Peter Forman and Charles N. Decas for legislation to increase aid for school construction. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-five.

AN ACT INCREASING AID FOR SCHOOL CONSTRUCTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 645 of the Acts of 1948, as most recently
2 amended by Chapter 613 of the Acts of 1982, is hereby amend-
3 ed by striking section seven and inserting in place thereof the
4 following section: —

5 *Section 7.* Any city, town, regional school district or county
6 may apply to the commission for a school construction grant
7 to meet in part the cost of an approved school project. Such
8 cost shall include the entire interest paid or payable by such
9 city, town, or county and the entire interest paid or payable
10 by such regional school district on any bonds or notes
11 issued to finance such project. Such costs shall also include
12 all costs and legal fees to enforce rights on any contracts for
13 the construction of an approved school project. Such applica-
14 tion shall be made, in the case of projects, the construction
15 of which has been undertaken before the effective date of this
16 act, within ninety days after such effective date, and in the
17 case of all other projects, before construction has been under-
18 taken. Such application shall be in the form prescribed by the
19 Commission, and shall be accompanied by such additional in-
20 formation, drawings, plans, estimates of cost, and proposals
21 for defraying such costs, as the commission may require.

1 SECTION 2. Section 9 of chapter 645 of the acts of 1948 as
2 most recently amended by chapter 613 of the acts of 1982, is
3 hereby amended by striking subsections (a), (b) and (c), and

4 inserting in place thereof the following subsections: —

5 (a) The total construction grant for any approved school
6 project in any city or town shall be fifty percent of the final
7 approved cost of such project multiplied by a percentage,
8 which shall be the porportion, to the nearest tenth of one per-
9 cent, which the most recent equalized valuation per school at-
10 tending child for the entire commonwealth bears to the most
11 recent equalized valuation per school attending child of the city
12 or town; provided, however, that the portion of said total con-
13 struction grant which is for interest, as provided in section
14 seven, shall be sixty-five percent of that part of such approv-
15 ed cost which consists of said interest, and that the remainder
16 of said total construction grant shall be ninety percent of the
17 remainder of such approved costs excluding said interest.

18 (b) The total construction grant for any approved school
19 project in a regional school district which includes grades
20 kindergarten through twelve shall be sixty percent of the pro-
21 duct of the final approved cost of the project multiplied by a
22 percentage, which shall be the proportion, to the nearest tenth
23 of one percent, which the most recent equalized valuation per
24 school attending child for the entire commonwealth bears to
25 the most recent total equalized valuation per school attending
26 child of the towns comprising such district; provided, however,
27 that the construction grant shall be for ninety percent of such
28 approved cost and provided, further, that the portion of said
29 total construction grant which is for interest, as provided in
30 section seven, shall be seventy-five percent of that part of such
31 approved cost which consists of said interest. The total con-
32 struction grant for any approved school project in a regional
33 school district which does not include grades kindergarten
34 through twelve shall be sixty percent of the final approved cost
35 of such project multiplied by a percentage, which shall be the
36 proportion, to the nearest tenth of one percent, which the most
37 recent equalized valuation per school attending child for the
38 entire commonwealth bears to the most recent total equaliz-
39 ed valuation per school attending child of the towns compris-
40 ing such district; provided, however, that the construction
41 grant shall be for ninety percent of such approved cost and
42 provided, further, that the portion of said total construction
43 grant which is for interest, as provided in section seven, shall
44 be in an amount not less than sixty-five percent nor more than

45 seventy-five percent of that part of such approved cost which
46 consists of said interest.

47 (c) The total construction grant for any approved school
48 project in any county shall be ninety percent of the final ap-
49 proved construction cost of such project and sixty-five percent
50 of the entire interest cost.

1 SECTION 3. Said section 9 of said chapter 645 of the acts of
2 1948, as amended by chapter 613 of the acts of 1983, is hereby
3 further amended by striking the ninth and tenth paragraphs
4 and inserting in place thereof the following paragraphs: —

5 Notwithstanding the provisions of this section and this act
6 to the contrary the total construction grant for any approved
7 school project for a district classified as a growth district
8 which is approved or submitted after December thirty-first,
9 nineteen hundred and eighty-two shall be sixty percent of the
10 product of the final approved cost of the project multiplied by
11 a percentage, which shall be the proportion, to the nearest
12 tenth of one percent, which the most recent equalized valua-
13 tion per school attending child for the entire commonwealth
14 bears to the most recent total equalized valuation per school
15 attending child of the towns comprising such district; provid-
16 ed, however, that the construction grant shall be for ninety per-
17 cent of such approved cost and provided, further, that the por-
18 tion of said total construction grant which is for interest, as
19 provided in section seven, shall be in an amount not less than
20 sixty-five percent nor more than seventy-five percent of that
21 part of such approved cost which consists of said interest. In
22 order for a district to be classified as a growth district the
23 board by a written finding shall determine that the district con-
24 forms to the following criteria: —

25 (1) The actual increase in school attending children in the
26 district has been more than five percent over the past five
27 years;

28 (2) The projected increase in enrollment for the next five
29 years will be five percent or more; and

30 (3) Such projected increase in enrollment for the next five
31 years is greater than the statewide projection. For the pur-
32 poses of this paragraph district shall mean any city, town or
33 regional school district within the commonwealth.

34 Notwithstanding any provisions of this section and this act to

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