



House
Legislative
Analysis
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RENOVATING LEASED SCHOOLS

House Bill 4224 with committee
amendments
First Analysis (12-15-95)

Sponsor: Rep. Deborah Whyman
Committee: Education

THE APPARENT PROBLEM:

According to testimony before the House Education Committee, the Plymouth-Canton School District leases a junior high school building from the Livonia School District. The Plymouth-Canton district reportedly wants to make improvements to that building of the kind being made to other district buildings to support the introduction of fiber optic technology. To accomplish this, however, the district needs an amendment to the School Code. The code does not authorize spending on buildings leased from another district and, in fact, contains restrictions on school construction on property a district does not either own or occupy under an extraordinarily long lease.

THE CONTENT OF THE BILL:

The bill would amend the School Code to permit the board of a school district to spend operating funds to renovate or otherwise make structural improvements to a school building that it was leasing from another school district. The improvements could include, but would not be limited to, energy conservation measures, for improving the technological or instructional capabilities of the building to a level comparable to the capabilities of other district buildings. A district could not spend more than five percent of its operating funds for the purposes described in the bill.

The bill states that the restrictions of the first two subsections of Section 1263 of the code concerning sites not owned by a school district would not apply to expenditures authorized under the bill. Those subsections state:

(1) The board of a school district shall not build a school upon a site without having prior title in fee to the site, a lease for not less than 99 years, or a lease for not less than 50 years from the United

States government, or this state, or a political subdivision of this state.

(2) The board of a school district shall not build a frame school on a site for which it does not have a title in fee or a lease for 50 years without securing the privilege of removing the school."

MCL 380.1263a

FISCAL IMPLICATIONS:

The House Fiscal Agency reports that the bill would have no fiscal impact on the state or on local units of government. (2-13-95)

ARGUMENTS:

For:

The bill would allow a particular school district to carry out renovations to a building leased from another school district so that technology it is installing district-wide can be installed in the leased building. The bill would allow the district to treat students and teachers in the leased building equally with other students and teachers in the district. Reportedly, the lease arrangement between the two districts has been adjusted to take into account the cost of the improvements that will be made.

POSITIONS:

The Michigan Association of School Boards has taken no formal position on the bill, but is not opposed to it. (2-14-95)

House Bill 4224 (2-15-95)