

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1097

H. P. 966

House of Representatives, March 12, 1979

Reported by Mr. Connolly of Portland from the Joint Select Committee to Study the Vocational-technical Institutes and the Maine School of Practical Nursing. Pursuant to H. P. 2281 printed under Joint Rules No. 17.

Filed by Joint Select Committee to Study the Vocational-technical Institutes and the Maine School of Practical Nursing, pursuant to H. P. 2281.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to the Vocational-technical Institutes.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 20 MRSA § 1-B, sub-§ 4-A is enacted to read:

4-A. Bureau of Post-secondary Vocational Education. The Bureau of Post-secondary Vocational Education shall be under the direction of an associate commissioner appointed by the commissioner, after consultation with the State Board of Education. The associate commissioner shall serve at the pleasure of the commissioner.

The Associate Commissioner for post-secondary vocational education shall have the responsibility for any programs of vocational education administered by the vocational-technical institutes; and

Sec. 2. 20 MRSA c. 303-A is enacted to read:

CHAPTER 303—A

POST-SECONDARY

VOCATIONAL-TECHNICAL INSTITUTES

§ 2261. Intent

It is the intent of the Legislature that the vocational-technical institutes shall:

1. Vocational, technical and occupational education. Provide vocational, technical and occupational education for those who demonstrate aptitude and need and who require training designed for service in a trade, industry or commerce;

2. Job skills. Provide each graduate with job skills;

3. General education. Provide the general education necessary to complement the requirements of specific vocational and technical skills;

4. Supplementary programs. Provide supplementary educational programs to upgrade those persons already employed or retrain persons for new employment opportunities; and

5. Special programs. Provide special programs for disadvantaged and handicapped persons to permit them to take maximum advantage of their aptitudes and interests.

§ 2262. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. Commissioner. "Commissioner" shall mean the commissioner of Educational and Cultural Services.

2. Department. "Department" shall mean the Department of Educational and Cultural Services.

3. Institute. "Institute" shall mean a vocational-technical institute as established in section 2263.

§ 2263. Establishment of institutes; general duties and authority of State Board of Education

1. Establishment. The following vocational-technical institutes are established:

A. Central Maine Vocational-technical Institute in the City of Auburn;

B. Eastern Maine Vocational-technical Institute in the City of Bangor;

C. Kennebec Valley Vocational-technical Institute in the City of Waterville;

D. Northern Maine Vocational-technical Institute in the City of Presque Isle;

E. Southern Maine Vocational-technical Institute in the City of South Portland; and

F. Washington County Vocational-technical Institute in the City of Calais.

2. **General duties and authority.** The State Board of Education shall maintain and operate these institutes, shall have policy-making and planning authority for the institutes and shall have the authority to:

- A. Offer courses of study;
- B. Grant diplomas and certificates on completion of a course of study;
- C. Confer associate degrees based upon 2 years of instruction with equipment and facilities which will safeguard the integrity of the degrees conferred;
- D. Charge tuition and other reasonable fees;
- E. Establish qualifications for admission; and
- F. Accept and expend all funds for post-secondary vocational education received by the department from the General Fund of the State, from gifts and donations either from public or private sources as may be offered unconditionally, or from fees.

§ 2264. **Appointment of directors**

The commissioner shall appoint, with the approval of the State Board of Education, the directors of the institutes.

§ 2265. **Recommendation for funding levels; annual certification; original requests; inclusion of maintenance and repair budget**

1. **Funding level.** The State Board of Education shall certify and present to the Legislature annually prior to November 15th the funding levels which it recommends for the operation of the institutes and the original funding levels requests from these institutes.

2. **Costs of maintenance and repairs.** Notwithstanding any other provision of law, the costs of maintenance and repairs at the institutes shall be included in the funding level requests presented by the board and shall be considered by the Legislature as a part of the institutes' budgets.

§ 2266. **Contingent account**

1. **Establishment.** There is established within the department a nonlapsing contingent account to provide funds to meet any unanticipated requests for services at the institutes and any other unexpected need for which sufficient funds have not been appropriated.

2. **Allocation.** Funds from this account shall be allocated by the board to any institute on the basis of demonstrated need.

3. **Annual adjustment.** Total funds in the account shall be adjusted annually to maintain a level not to exceed 2% of the funds appropriated by the Legislature for the institutes during the same year.

§ 2267. **Operation of courses on grade 13 and 14 levels; administration; tuition for such course changes to students enrolled**

1. **Courses offered.** Vocational courses on grade 13 and 14 levels may be operated in regional vocational centers or vocational regions when approved by the State Board of Education.

2. **Administration.** Any courses on grade 13 and 14 levels operated in regional vocational centers or vocational regions which are not part of an adult education program shall be administered as satellite programs of an institute designated by the State Board of Education.

3. **Tuition.** Tuition charges for any courses on grade 13 and 14 levels operated in regional vocational centers or vocational regions shall be charged directly to the students enrolled at rates approved by the State Board of Education.

§ 2268. State scholarships at the vocational-technical institutes

1. **Scholarships.** The State Board of Education shall develop and administer a program of scholarships for any student enrolled at an institute who fulfills the following qualifications:

A. Evidence of the possession of the qualifications necessary to successfully complete the course of study and to become a competent craftsman in a trade or industrial pursuits;

B. A demonstrated ability and willingness to support the expenses of his training; and

C. A demonstrated need of partial financial assistance to pay the cost of attendance at the institute.

2. **Limitation.** No scholarship shall exceed \$250 in any one year.

3. **Allocation of scholarships.** Amounts available for these scholarships shall be distributed annually by the board to the institutes in the following way:

A. \$1,500 or the equivalent of 6 full scholarships to each institute;

B. Allocation of the balance of the scholarship fund to each institute in the same proportion as the institute's enrollment is of the total enrollment of all of the institutes for the fall semester of the current year; and

C. Awards shall be based on evidence of individual need and worth.

§ 2269. Journeyman's examinations

1. **Eligibility.** Any person who has completed satisfactorily a course of instruction at a Maine vocational-technical institute in the practice of electrical installations, oil burner installations or plumbing shall be entitled to take a journeyman's examination conducted by any of the following boards:

- A. Electricians' Examining Board;
- B. Oil Burner Men's Licensing Board; and
- C. Plumbers' Examining Board.

2. **Application for oil burner men's license.** Any application for a journeyman oil burner men's license shall be accompanied by a certificate of course completion of an approved course of at least 1,000 hours of instruction related to the respective field at a Maine vocational-technical institute a Maine vocational region or a Maine regional vocational-technical center.

§ 2270. Policemen at vocational-technical institutes

1. **Appointment.** The directors of the institutes may appoint persons to act as policemen who shall, within the limits of the property owned by or under the control of the institutes, possess all of the powers of policemen in criminal cases.

2. **Guidelines.** The State Board of Education is authorized to establish guidelines within which each institute director may make rules and regulations for the control, movement and parking of vehicles within the limits of the property owned by or under the control of the institute.

3. **Rules and regulations.** Any rules and regulations shall have the same force and effect as municipal ordinances and District Courts are authorized to impose fines, not to exceed \$10, for each violation.

4. **Evidence and waiver.** The State Board of Education may adopt the provisions of Title 30, section 2151, subsection 3, paragraph A, relating to prima facie evidence and the establishment of a waiver of court action by payment of specified fees.

Sec. 3. 20 MRSA § 2355, as amended by PL 1973, c. 571, § 71, is repealed.

Sec. 4. 20 MRSA § 2356, as last amended by PL 1975, c. 513, § 2, is repealed.

Sec. 5. 20 MRSA § 2356-E, as amended by PL 1977, c. 205, § 5, is repealed.

Sec. 6. 20 MRSA § 2357, as last amended by PL 1973, c. 571, § 71, is repealed.

Sec. 7. 20 MRSA § 2361, as amended by PL 1977, c. 356, § 1, is repealed.

Sec. 8. 20 MRSA § 2362, as enacted by PL 1973, c. 300, is repealed.

Sec. 9. 26 MRSA § 1022, sub-§ 1-C, last sentence, as enacted by PL 1977, c. 581, § 2, is amended to read:

The State Board of Education ~~shall~~ may utilize the Office of State Employee Relations for the purposes of this chapter.

Sec. 10. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act:

1979-80

1980-81

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

Bureau of Post-secondary Vocational
Education

Positions	(21)	(21)
Personal Services	\$57,000	\$57,000

STATEMENT OF FACT

The purposes of this bill are to carry out those recommendations of the Joint Select Committee to Study the Vocational-technical Institutes and the Maine School of Practical Nursing which require legislation. These recommendations include the following.

1. The Bureau of Post-secondary Vocational Education is created within the Department of Educational and Cultural Services.

2. The missions of the vocational-technical institutes are established.

3. Six vocational-technical institutes are established in the statutes along with the general authority of the State Board of Education for their operation.

4. The State Board of Education is directed to present recommendations for funding levels for the vocational-technical institutes to the Legislature annually.

5. The funds for maintenance and repair at the vocational-technical institutes are removed from the Bureau of Public Improvements budget and placed in the vocational-technical institute budget.

6. A nonlapsing contingent account, not to exceed 2% of the annual state appropriation for the vocational-technical institutes is established for the purpose of meeting emergency needs at the vocational-technical institutes.

7. The vocational-technical institutes are given authority for administering certain grade 13 and 14 level programs at vocational centers and vocational regions.

8. The State Board of Education is authorized to use an agent other than the Office of State Employee Relations for purposes of collective bargaining with the vocational-technical institute instructors.

9. Funds are provided for bringing Kennebec Valley Vocational-technical Institute under the authority of the State Board of Education.

10. Funds are provided for one additional position responsible for coordinating federal grant applications.

11. Several existing statutory provisions are repealed and reenacted as part of a single chapter directed to the vocational-technical institutes.