

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1914

6
7 H.P. 1462

House of Representatives, January 10, 1984

8 Submitted by the Department of Educational and Cultural Services
9 pursuant to Joint Rule 24.

10 Reference to the Committee on Education is suggested and ordered
printed.

EDWIN H. PERT, Clerk

Presented by Representative Brown of Gorham.

11 Cosponsors: Representative Crouse of Washburn, Representative Soucy
of Kittery and Representative Locke of Sebec.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Clarify the Definition of School
18 Construction.
19

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

22 20-A MRSA §15901, sub-§4, ¶E, as enacted by PL
23 1981, c. 693, §§5 and 8, is repealed and the follow-
24 ing enacted in its place:

25 E. The complete restoration of existing school
26 buildings in lieu of replacement when in the
27 judgment of the commissioner the action is in the
28 best interest of the State and local unit; and

29 STATEMENT OF FACT

30 Enactment of this bill removes language which has
31 created problems over the past several years. The
32 phrase "major renovation" is subject to different in-

1 terpretation. There have been a number of very expen-
2 sive renovation projects which local officials be-
3 lieved were major renovations and thus constituted a
4 construction project. These misconceptions would have
5 been avoided with more precise statutory language.

6 The original legislative intent was to permit the
7 commissioner to determine whether it was more feasi-
8 ble to discontinue the usage of unsafe, unsuitable
9 and obsolete buildings and replace them with complete
10 new structures or to completely restore the existing
11 structure to make it safe, suitable and appropriate
12 to house today's modern educational program. The
13 proposed new language makes clear this intent by re-
14 placing "major renovation" in current statutes with
15 "complete restoration."

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