

# MAINE STATE LEGISLATURE

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L.D. 2492

(Filing No. H-755 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
111TH LEGISLATURE  
THIRD SPECIAL SESSION

HOUSE AMENDMENT "D" to H.P. 1895, L.D. 2492,  
Bill, "AN ACT to Implement the Recommendations of the  
Commission on the Status of Education in Maine."

Amend the bill by inserting before the Fiscal  
Note the following:

'PART M

Sec. 1. 2 MRSA §6, sub-§5, as amended by PL 1983,  
c.351, §§1 and 41, is further amended to read:

5. Range 86. The salaries of the following state  
officials and employees shall be within the salary  
range 86:

Director of Labor Standards;

Deputy Chief of the State Police;

Director of State Lotteries;

State Archivist;

Director of Maine Geological Survey;

Executive Director, Maine Land Use Regulation  
Commission;

Chairman, Maine Unemployment Insurance Commis-  
sion; and

Director of the Risk Management Division; and

Commissioner of Post-secondary Vocational-  
Technical Education.

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1           Sec. 2. 3 MRSA §507, sub-§7, ¶B, as repealed and  
2 replaced by PL 1983, c. 819, Pt. A, §2, is amended to  
3 read:

4           B. The evaluations and analyses of the justifi-  
5 cation reports for the programs of the following  
6 Group D-2 departments shall be reviewed by the  
7 Legislature no later than June 30, 1987:

8                   (1) Board of Trustees of the University of  
9                   Maine; and

10                   (2) Board of Trustees of the Maine Maritime  
11                   Academy; and

12                   (3) Department of Post-secondary Vocation-  
13                   al-Technical Education.

14           Sec. 3. 5 MRSA §1507, sub-§4-A, as enacted by PL  
15 1979, c.602, §2, is amended to read:

16           4-A. Vocational-technical institutes. The Gover-  
17 nor may allocate funds from such account in amounts  
18 not to exceed in total the sum of \$100,000 in any  
19 fiscal year to provide funds for any unusual and un-  
20 foreseen needs as may arise in the operation of the  
21 vocational-technical institutes. Allocations may be  
22 made from this fund by the Governor only upon the  
23 written request of the State Board of Education De-  
24 partment of Post-secondary Vocational-Technical  
25 Education and after consultation with the State Bud-  
26 get Officer.

27           Sec. 4. 20-A MRSA c. 403 is repealed.

28           Sec. 5. 20-A MRSA c. 429 is enacted to read:

29                                   CHAPTER 429

30                   POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION

31           §12501. Definitions

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1       As used in this chapter, unless the context oth-  
2 erwise indicates, the following terms have the fol-  
3 lowing meanings.

4       1. Board of trustees. "Board of trustees" means  
5 the board of trustees of the department.

6       2. Department. "Department" means the Department  
7 of Post-secondary Vocational-Technical Education.

8       §12502. Department established

9       There is established the Department of  
10 Post-secondary Vocational-Technical Education which  
11 shall be governed by a board of trustees. The depart-  
12 ment shall be a state agency and shall consist of the  
13 office of commissioner and the 6 vocational-technical  
14 institutes.

15       §12503. Board of trustees

16       1. Membership. The board of trustees shall con-  
17 sist of 7 members:

18       A. Three from the field of business and indus-  
19 try;

20       B. Two from the field of education;

21       C. One from the field of health service; and

22       D. One from the field of labor.

23       2. Appointment; terms. Members of the board of  
24 trustees shall be appointed by the Governor for stag-  
25 gered 4-year terms, subject to review by the joint  
26 standing committee of the Legislature having juris-  
27 isdiction over education and to confirmation by the  
28 Legislature. No classified or unclassified employee  
29 of the state or person who holds elected state office  
30 may serve on the board of trustees. Vacancies on the

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1 board of trustees shall be filled for the unexpired  
2 term only. A member shall serve until a successor has  
3 been appointed and qualified.

4 3. Compensation. Members shall serve without  
5 compensation, but may be reimbursed for their ex-  
6 penses.

7 4. Chairman. One member of the board shall be  
8 designated by the Governor as chairman.

9 §12504. Duties of the board of trustees

10 The board shall:

11 1. Policy. Develop and adopt policy for the de-  
12 partment and its institutions;

13 2. Administration. Oversee the administration of  
14 the department and its institutions;

15 3. Funds. Except as otherwise provided in this  
16 Title, apply for and receive, in the same manner as  
17 other state agencies, federal and other funds for the  
18 operation of the department and its institutions. The  
19 board may accept gifts of money and property, other  
20 than real property, for use in institutional programs  
21 on its own authority; and

22 4. Rules. Adopt rules in accordance with Title  
23 5, chapter 375, regulating the operations of the de-  
24 partment and its institutions, including the rights  
25 and responsibilities of students.

26 §12505. Commissioner

27 The Governor shall appoint a Commissioner of  
28 Post-secondary Vocational-Technical Education who  
29 shall be the chief executive officer of the depart-  
30 ment, subject to review by the joint standing commit-  
31 tee of the Legislature having jurisdiction over edu-  
32 cation and confirmation by the Legislature. The com-

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1 missioner shall be qualified by education and experi-  
2 ence and shall serve at the pleasure of the Governor.  
3 The salary of the commissioner shall be that estab-  
4 lished in Title 2, section 6, subsection 5.

5 §12506. Cooperation with other agencies

6 The commissioner shall be responsible for promot-  
7 ing cooperation and communication between the depart-  
8 ment and the board and the Department of Educational  
9 and Cultural Services, and between the department and  
10 the university system of the State.

11 §12507. Administrative board

12 The commissioner shall establish an administra-  
13 tive board composed of the presidents of the 6  
14 vocational-technical institutes. The commissioner  
15 shall serve as chairman of the administrative board  
16 which shall advise him in the performance of his du-  
17 ties under this chapter.

18 §12508. Presidents of institutes

19 The commissioner shall, subject to approval by  
20 the board of trustees, appoint presidents of the 6  
21 vocational-technical institutes. Presidents shall be  
22 qualified by education and experience.

23 §12509. Deans

24 The president of each vocational-technical insti-  
25 tute in the department shall appoint deans, with the  
26 approval of the board of trustees and subject to the  
27 appropriations made for those positions.

28 §12510. Name and program of vocational-technical in-  
29 stitutes

30 The program of the vocational-technical insti-  
31 tutes shall be designed to prepare qualified high  
32 school graduates or the equivalent as technicians and

1 skilled workers. The names of the vocational-techni-  
2 cal institutes shall be:

3 1. Central Maine Vocational-Technical Institute  
4 in the City of Auburn;

5 2. Eastern Maine Vocational-Technical Institute  
6 in the City of Bangor;

7 3. Kennebec Valley Vocational-Technical Insti-  
8 tute in the City of Fairfield;

9 4. Northern Maine Vocational-Technical Institute  
10 in the City of Presque Isle;

11 5. Southern Maine Vocational-Technical Institute  
12 in the City of South Portland; and

13 6. Washington County Vocational-Technical Insti-  
14 tute in the City of Calais.

15 §12511. Accreditation

16 The vocational-technical institutes may seek ac-  
17 creditation and maintain membership in the regional  
18 accrediting association, satisfy the requirements  
19 necessary to achieve and maintain regional accredita-  
20 tion as vocational-technical institutes and meet the  
21 requirements necessary for federal aid. Each program  
22 of study offered shall meet all of the requirements  
23 for professional accreditation or licensing of the  
24 particular specialty.

25 §12512. Instructional personnel

26 The board of trustees shall conduct an examina-  
27 tion of existing state personnel policies, rules and  
28 laws and the manner in which they apply to instruc-  
29 tional personnel of the department. The board shall,  
30 by July 1, 1985, submit a report to the Legislature  
31 detailing modification in those policies needed to  
32 make them appropriate for instructional personnel,

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1 together with all necessary implementing legislation.  
2 In its review, the board of trustees shall seek the  
3 assistance of the Department of Personnel and repre-  
4 sentatives of the instructional personnel of the  
5 post-secondary vocational-technical institutes.

6 §12513. Loan fund revolving accounts

7 The board may establish and administer such loan  
8 fund revolving accounts as may be approved by the  
9 Governor to completely comply with all federal regu-  
10 lations and to effectively and efficiently operate  
11 the loan programs within vocational-technical insti-  
12 tutes. The board shall adopt rules pursuant to Title  
13 5, chapter 375, for the giving of loans to students  
14 who are in need of financial aid at the  
15 vocational-technical institutes, the repayment of the  
16 loans or other requirements relative to the loans.  
17 Each loan fund revolving account authorized and the  
18 specific funds associated with it shall be kept in a  
19 separate special account by the State Treasurer, and  
20 any repayment of loans made from one of these sepa-  
21 rate special accounts shall be credited to that sepa-  
22 rate special account for continued use as a loan  
23 fund.

24 §12514. Instructional Projects Revolving Fund

25 The department shall administer an Instructional  
26 Projects Revolving Fund to aid instruction at state  
27 vocational-technical institutes. The fund shall be  
28 used to pay necessary costs of projects which are  
29 carried out as part of the instructional program. No  
30 project may be undertaken unless the fund contains  
31 enough money to cover the proposed budget. All mon-  
32 ey generated through operation of any project shall  
33 be put into the fund, shall be continually appropri-  
34 ated for use in another instructional project and  
35 shall not lapse, except that the total money in the  
36 fund shall not exceed \$200,000. Any excess over this  
37 amount shall be paid into the General Fund.



1     §12515. Advisory committees

2             The federally mandated and funded Maine Advisory  
3 Council on Vocational Education shall advise the  
4 board of trustees, presidents, commissioner and de-  
5 partment. Each president shall appoint, subject, to  
6 approval by the board of trustees, a local advisory  
7 committee for that president's respective campus to  
8 advise the presidents, the commissioner and the board  
9 of trustees on the operation of the vocational-tech-  
10 nical institutes. The president may also appoint ad-  
11 visory committees to advise the institute president  
12 on the development and operation of specific academic  
13 programs at the vocational-technical institute.

14             Sec. 6. Transition provision. The Governor may  
15 appoint a commissioner and members to the board of  
16 trustees as of the effective date of this Act. The  
17 transitions provided for in this Act shall be accom-  
18 plished in orderly stages and shall be completed by  
19 July 1, 1985. During this transition period, the  
20 board of trustees shall receive staff assistance from  
21 the Department of Educational and Cultural Services.  
22 Any expenses of the board of trustees during the pe-  
23 riod of transition shall be paid from funds available  
24 to the Department of Educational and Cultural Ser-  
25 vices.'

26             Further amend the bill by relettering the Parts  
27 to read consecutively.

28   STATEMENT OF FACT

29             The purpose of this amendment is to establish  
30 the Department of Post-secondary Vocational-Technical  
31 Education. The organization of the department in-  
32 cludes a commissioner and board of trustees appointed  
33 by the Governor, subject to review by the Joint  
34 Standing Committee on Education and confirmation by  
35 the Senate. The 6 existing vocational-technical in-  
36 stitutes within the State shall be integrated into

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1 the department.

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