

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 196

6  
7 H.P. 162

House of Representatives, January 29, 1985

8 Reference to the Committee on Education suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Crowley of Stockton Springs.

Cosponsored by Representative Jacques of Waterville, Senator Perkins of  
Hancock and Senator Andrews of Cumberland.

11  
12 STATE OF MAINE  
13

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

17 AN ACT to Establish the Department of  
18 Post-secondary Vocational-technical Education.  
19

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

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

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

27 Director of Labor Standards;

28 Deputy Chief of the State Police;

29 Director of State Lotteries;

30 State Archivist;

1 Director of Maine Geological Survey;  
2 Executive Director, Maine Land Use Regulation  
3 Commission;  
4 Chairman, Maine Unemployment Insurance Commis-  
5 sion; and  
6 Director of the Risk Management Division-; and  
7 Commissioner of Post-secondary Vocational-tech-  
8 nical Education.

9 Sec. 2. 3 MRSA §507, sub-§7, ¶B, as repealed and  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

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

16 (1) Board of Trustees of the University of  
17 Maine; and

18 (2) Board of Trustees of the Maine Maritime  
19 Academy-; and

20 (3) Department of Post-secondary Vocation-  
21 al-technical Education.

22 Sec. 3. 5 MRSA §1507, sub-§4-A, as enacted by PL  
23 1979, c.602, §2, is amended to read:

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

35 Sec. 4. 20-A MRSA c. 403, as amended, is re-  
36 pealed.

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

2                           CHAPTER 429

3                   POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION

4    §12501. Definitions

5           As used in this chapter, unless the context oth-  
6    erwise indicates, the following terms have the fol-  
7    lowing meanings.

8           1. Board of trustees. "Board of trustees" means  
9    the board of trustees of the department.

10          2. Department. "Department" means the Department  
11    of Post-secondary Vocational-technical Education.

12    §12502. Department established

13          There is established the Department of  
14    Post-secondary Vocational-technical Education which  
15    shall be governed by a board of trustees. The depart-  
16    ment shall be a state agency and shall consist of the  
17    office of commissioner and the 6 vocational-technical  
18    institutes.

19    §12503. Mission

20          The mission of Maine's vocational-technical in-  
21    stitutes is to provide associate degree, diploma or  
22    certificate programs directed at educational, occupa-  
23    tional and technical needs of Maine's citizens and  
24    the manpower needs of Maine's employers.

25    §12504. Board of trustees

26          1. Membership. The board of trustees shall con-  
27    sist of 7 members:

28           A. Three from the field of business and indus-  
29    try;

30           B. Two from the field of education;

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

1           D. One from the field of labor.

2           2. Appointment; terms. Members of the board of  
3 trustees shall be appointed by the Governor for stag-  
4 gered 4-year terms, subject to review by the joint  
5 standing committee of the Legislature having juris-  
6 isdiction over education and to confirmation by the  
7 Legislature. No classified or unclassified employee  
8 of the State or person who holds elected state office  
9 may serve on the board of trustees. Vacancies on the  
10 board of trustees shall be filled for the unexpired  
11 term only. A member shall serve until a successor has  
12 been appointed and qualified.

13           3. Compensation. Members shall serve without  
14 compensation, but may be reimbursed for their ex-  
15 penses.

16           4. Chairman. One member of the board shall be  
17 designated by the Governor as chairman. The chairman  
18 shall be the spokesman for the board.

19           §12505. Duties of the board of trustees

20           The board shall:

21           1. Policy. Develop and adopt policy for the de-  
22 partment and its institutions;

23           2. Administration. Oversee the administration of  
24 the department and its institutions;

25           3. Funds. Except as otherwise provided in this  
26 Title, apply for and receive, in the same manner as  
27 other state agencies, federal and other funds for the  
28 operation of the department and its institutions. The  
29 board may accept gifts of money and property, other  
30 than real property, for use in institutional programs  
31 on its own authority; and

32           4. Rules. Adopt rules in accordance with Title  
33 5, chapter 375, regulating the operations of the de-  
34 partment and its institutions, including the rights  
35 and responsibilities of students.

36           §12506. Commissioner

1           The Governor shall appoint a Commissioner of  
2 Post-secondary Vocational-technical Education who  
3 shall be the chief executive officer of the depart-  
4 ment, subject to review by the joint standing commit-  
5 tee of the Legislature having jurisdiction over edu-  
6 cation and confirmation by the Legislature. The com-  
7 missioner shall be qualified by education and experi-  
8 ence and shall serve at the pleasure of the Governor.  
9 The salary of the commissioner shall be that estab-  
10 lished in Title 2, section 6, subsection 5.

11           §12507. Cooperation with other agencies

12           The commissioner shall be responsible for promot-  
13 ing cooperation and communication between the depart-  
14 ment and the board and the Department of Educational  
15 and Cultural Services, and between the department and  
16 the university system of the State.

17           §12508. Administrative board

18           The commissioner shall establish an administra-  
19 tive board composed of the presidents of the 6  
20 vocational-technical institutes. The commissioner  
21 shall serve as chairman of the administrative board  
22 which shall advise him in the performance of his du-  
23 ties under this chapter.

24           §12509. Presidents of institutes

25           The commissioner shall, subject to approval by  
26 the board of trustees, appoint presidents of the 6  
27 vocational-technical institutes. Presidents shall be  
28 qualified by education and experience.

29           §12510. Deans

30           The president of each vocational-technical insti-  
31 tute in the department shall appoint deans, with the  
32 approval of the board of trustees and subject to the  
33 appropriations made for those positions.

34           §12511. Name and program of vocational-technical in-  
35 stitutes

36           The program of the vocational-technical insti-  
37 tutes shall be designed to prepare qualified high

1 school graduates or the equivalent as technicians and  
2 skilled workers. The names of the vocational-techni-  
3 cal institutes shall be:

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

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

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

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

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

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

16 §12512. Accreditation

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

26 §12513. Instructional personnel

27 The board of trustees shall conduct an examina-  
28 tion of existing state personnel policies, rules and  
29 laws and the manner in which they apply to instruc-  
30 tional personnel of the department. The board shall,  
31 by July 1, 1985, submit a report to the Legislature  
32 detailing modification in those policies needed to  
33 make them appropriate for instructional personnel,  
34 together with all necessary implementing legislation.  
35 In its review, the board of trustees shall seek the  
36 assistance of the Department of Personnel and repre-  
37 sentatives of the instructional personnel of the

1 post-secondary vocational-technical institutes.

2 §12514. Loan fund revolving accounts

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

20 §12515. Instructional Projects Revolving Fund

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

34 §12516. Advisory committees

35 The federally mandated and funded Maine Advisory  
36 Council on Vocational Education shall advise the  
37 board of trustees, presidents, commissioner and de-  
38 partment. Each president shall appoint, subject, to  
39 approval by the board of trustees, a local advisory  
40 committee for that president's respective campus to  
41 advise the presidents, the commissioner and the board



1 of trustees on the operation of the vocational-tech-  
2 nical institutes. The president may also appoint ad-  
3 visory committees to advise the institute president  
4 on the development and operation of specific academic  
5 programs at the vocational-technical institute.

6 Sec. 6. Transition provision. The Governor may  
7 appoint a commissioner and members to the board of  
8 trustees as of the effective date of this Act. The  
9 transitions provided for in this Act shall be accom-  
10 plished in orderly stages and shall be completed by  
11 July 1, 1986. During this transition period, the  
12 board of trustees shall receive staff assistance from  
13 the Department of Educational and Cultural Services.  
14 Any expenses of the board of trustees during the pe-  
15 riod of transition shall be paid from funds available  
16 to the Department of Educational and Cultural Ser-  
17 vices.

18 STATEMENT OF FACT

19 The purpose of this bill is to establish the De-  
20 partment of Post-secondary Vocational-technical Edu-  
21 cation. The organization of the department includes a  
22 commissioner and board of trustees appointed by the  
23 Governor, subject to review by the joint standing  
24 committee of the Legislature having jurisdiction over  
25 education and confirmation by the Senate. The 6 ex-  
26 isting vocational-technical institutes within the  
27 State shall be integrated into the department.

28 0127120584