

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1204
6

7 H.P. 839

House of Representatives, April 2, 1985

8 Speaker laid before the House and on motion of Representative
9 Gwadosky of Fairfield, referred to the Committee on State Government. Sent
up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative MacBride of Presque Isle.

11 Cosponsored by Representative Gwadosky of Fairfield, Representative
Cote of Auburn and Representative Smith of Mars Hill.

12 STATE OF MAINE
13

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

17 AN ACT to Create a State Committee to Deal
18 with Post-secondary Vocational-technical
19 Education.
20

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

23 Sec. 1. 5 MRSA §12004, sub-§8, ¶A, sub-¶3-A is
24 enacted to read:

25 (3-A) Education State Post- Expenses 20-A MRSA §407
26 secondary Only
27 Vocational-
28 technical
29 Education
30 Committee

31 Sec. 2. 20-A MRSA §407 is enacted to read:

32 §407. State Post-secondary Vocational-technical Edu-
33 cation Committee

1 1. Committee established. There is established,
2 under the State Board of Education, the State
3 Post-secondary Vocational-technical Education Commit-
4 tee.

5 2. Membership; appointment. The committee shall
6 consist of 5 members to be appointed by the Governor,
7 subject to review by the joint standing committee of
8 the Legislature having jurisdiction over education
9 and to confirmation by the Legislature. The members
10 shall be appointed as follows: Two members represent-
11 ing the fields of business and industry in the State;
12 one member representing labor interests in the State;
13 one member representing the field of health services
14 in the State; and one member representing the field
15 of education in the State. The committee shall annu-
16 ally elect one of its members to serve as chairman.

17 3. Terms. The term of office of each member
18 shall be 3 years; except that of those first ap-
19 pointed, 2 shall be appointed for a term of 3 years;
20 2 shall be appointed for a term of 2 years; and one
21 shall be appointed for a term of one year. Any va-
22 cancy shall be filled for the remainder of the unex-
23 pired term.

24 4. Compensation. Members of the committee shall
25 be compensated according to Title 5, chapter 379.

26 5. Duties. The committee shall:

27 A. Carry out the duties assigned to it under
28 chapter 403;

29 B. Advise the State Board of Education, the com-
30 missioner and the Legislature concerning matters
31 relating to post-secondary vocational-technical
32 education; and

33 C. Adopt rules, subject to the provisions of Ti-
34 tle 5, chapter 375, to carry out its responsibil-
35 ities.

36 Sec. 3. 20-A MRSA §10102, sub-§2 is enacted to
37 read:

1 2. Committee. "Committee" means the State
2 Post-secondary Vocational-technical Education Commit-
3 tee.

4 Sec. 4. 20-A MRSA §10104, as amended by PL 1983,
5 c. 422, §19, is further amended to read:

6 §10104. Committee's general duties and authority;
7 establishment of additional institutes

8 1. General duties. The state board committee
9 shall maintain and operate the institutes established
10 in section 10103 and have policy-making and planning
11 authority for them.

12 2. Authority. The state board committee may, in
13 operating these institutes:

14 A. Offer courses of study;

15 B. Grant diplomas and certificates on completion
16 of a course of study;

17 C. Confer associate degrees based upon 2 years
18 of instruction with equipment and facilities
19 which will safeguard the integrity of the degrees
20 conferred;

21 D. Charge tuition and other reasonable fees;

22 E. Establish qualifications for admission; and

23 F. Accept and expend all funds for
24 post-secondary vocational education received by
25 the department from:

26 (1) The General Fund;

27 (2) Gifts and donations either from public
28 or private sources which are offered uncon-
29 ditionally or under conditions approved by
30 the state board committee; or

31 (3) Fees.

32 3. Establishment of additional vocational- tech-
33 nical institutes. The state board committee may es-

1 **tab**lish, maintain and operate vocational-technical
2 institutes to promote specialized training for per-
3 sons who give evidence of special aptitude or need
4 and who desire specialized training designed specifi-
5 cally to train for service in trade, industry or com-
6 merce.

7 **Sec. 5.** 20-A MRSa §10105, as enacted by PL 1981,
8 c. 693, §§5 and 8, is amended to read:

9 §10105. Directors of institutes

10 1. Appointment of directors. The commissioner,
11 with the approval of the state board committee, shall
12 appoint the directors of the institutes.

13 2. Salary range. The commissioner, with the ap-
14 proval of the state board committee, shall establish
15 the salary range for directors and assistant direc-
16 tors.

17 3. Job title and salary range for new positions.
18 The state board committee, consistent with Title 26,
19 chapter 12, shall make recommendations to the Depart-
20 ment of Personnel and the Bureau of the Budget con-
21 cerning the appropriate job title and salary range
22 for each newly-created position in the unclassified
23 service at an institute. The recommendations shall
24 be based on the level of job responsibilities of the
25 position created.

26 4. Change of job title and salary range. The
27 state board committee, consistent with Title 26,
28 chapter 12, shall make recommendations to the Depart-
29 ment of Personnel and the Bureau of the Budget to
30 change the job title or salary range of any existing
31 position in the unclassified service at an institute
32 if an identifiable change in job responsibilities oc-
33 curs.

34 **Sec. 6.** 20-A MRSa §10106, as enacted by PL 1981,
35 c. 693, §§5 and 8, is amended to read:

36 §10106. Funding levels; capital construction plan;
37 budget

1 1. Funding levels. Prior to September 1st of
2 even-numbered years, the state board committee shall
3 certify and present to the Governor the funding lev-
4 els which it recommends for the operation of the in-
5 stitutes. It shall report those recommendations to
6 the Legislature prior to November 15th of even-
7 numbered years.

8 2. Long-range capital construction plan. With
9 the requested funding levels, the state board
10 committee shall submit a long-range capital construc-
11 tion plan in priority order. This plan shall be sub-
12 mitted to the Legislature with the required report.

13 3. Costs of maintenance, repairs and capital
14 construction. Notwithstanding any other provision of
15 law, the directors shall include the costs of mainte-
16 nance, repairs and capital construction at the insti-
17 tutes in the funding level requests presented to the
18 state board committee. In the preparation, develop-
19 ment and submission of funding requests for mainte-
20 nance, repairs and capital construction, the state
21 board committee shall consult with the Bureau of Pub-
22 lic Improvements. Funds appropriated for mainte-
23 nance, repairs and capital construction at the insti-
24 tutes shall be allocated and expended only for autho-
25 rized purposes.

26 Sec. 7. 20-A MRSA §10109, as amended by PL 1983,
27 c. 422, §20, is further amended to read:

28 §10109. State scholarships at the vocational- tech-
29 nical institutes

30 1. Scholarships. The state board committee
31 shall develop and administer a program of scholar-
32 ships for students enrolled at an institute. A stu-
33 dent selected to receive a scholarship shall fulfill
34 the following qualifications:

35 A. Show evidence of the qualifications necessary
36 to successfully complete the course of study and
37 to become a competent craftsman in a trade or in-
38 dustrial pursuit;

39 B. Show demonstrated ability and willingness to
40 support the expenses of training; and

1 C. Show demonstrated need of partial financial
2 assistance to pay the cost of attendance at the
3 institute.

4 2. Limitation. A scholarship may not exceed one
5 semester of tuition in one year.

6 3. Allocation of scholarships. Amounts availa-
7 ble for these scholarships shall be distributed annu-
8 ally by the state board committee to the institutes
9 as follows:

10 A. \$1,500 or the equivalent of 6 full scholar-
11 ships to each institute; and

12 B. Allocation of the balance of the scholarship
13 fund to each institute in the same proportion as
14 the institute's enrollment is of all of the in-
15 stitutes for the fall semester of the prior year.

16 4. Awards. Awards shall be based on evidence of
17 individual need and worth.

18 5. National Guard Scholarship Program. Members
19 of the Maine National Guard with over 10 years' con-
20 tinuous service may be awarded scholarships at
21 vocational-technical institutes not to exceed 3 cred-
22 it hours or the equivalent each semester. The guard
23 shall select those who will receive scholarships from
24 among those members eligible for admission to a
25 vocational-technical institute. The program shall be
26 administered by the state board committee.

27 Sec. 8. 20-A MRSA §10111, sub-§§2 and 4, as en-
28 acted by PL 1981, c. 693, §§5 and 8, are amended to
29 read:

30 2. Guidelines. The state board committee may
31 establish guidelines by which each director may make
32 rules for the control, movement and parking of vehi-
33 cles within the limits of the property owned by or
34 under the control of the institute.

35 4. Evidence and waiver. The state board
36 committee may adopt the provisions of Title 30, sec-
37 tion 2151, subsection 3, paragraph A, relating to
38 prima facie evidence and the establishment of a waiv-

1 er of court action by payment of specified fees.

2 STATEMENT OF FACT

3 The purpose of this bill is to create a State
4 Post-secondary Vocational-technical Education Commit-
5 tee to administer the post-secondary
6 vocational-technical institutes and to assume the du-
7 ties of the State Board of Education in the area of
8 post-secondary vocational-technical education.

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