

MAINE STATE LEGISLATURE

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(EMERGENCY)
(After Deadline)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1615

H.P. 1185 House of Representatives, May 18, 1987

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Appropriations and
Financial Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative GWADOSKY of Fairfield.

Cosponsored by Senators PERKINS of Hancock, PEARSON of
Penobscot and Representative CARTER of Winslow.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Amend the Maine
Vocational-Technical Institute System
Laws.

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5 **Emergency preamble.** Whereas, Acts of the Legis-
6 lature do not become effective until 90 days after
7 adjournment unless enacted as emergencies; and

8 Whereas, according to the provisions of Public
9 Law 1985, chapter 695, the transition of the voc-
10 ational-technical institutes to the Maine Vocational-
11 Technical Institute System must be completed by June
12 30, 1987; and

13 Whereas, although great strides toward the com-
14 plete transition have been made, the transition can-
15 not be finalized within the established deadline;

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preser-
5 vation of the public peace, health and safety; now,
6 therefore,

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

9 **Sec. 1. 20-A MRSA §12701, sub-§7, as enacted by**
10 **PL 1985, c. 695, §11, is amended to read:**

11 **7. Maine Vocational-Technical Institute System**
12 **Office. "Maine Vocational-Technical Institute Support**
13 **System Office" means the office of the executive di-**
14 **rector, together with the offices of supporting**
15 **staff, as established in section 12710.**

16 **Sec. 2. 20-A MRSA §12705, sub-§§1 and 7, as en-**
17 **acted by PL 1985, c. 695, §11, are amended to read:**

18 **1. Membership. The board of trustees shall con-**
19 **sist of 9 appointed voting members and 2 ex officio,**
20 **nonvoting voting members as follows:**

21 A. One from the State Board of Education;

22 B. One from the Board of Trustees of the Univer-
23 sity of Maine;

24 C. Seven from the field of business and indus-
25 try, the field of labor, the field of education
26 and the general public;

27 D. The Commissioner of Educational and Cultural
28 Services, or his successor, who shall serve ex
29 officio; and

30 E. The Director of the State Development Office,
31 or his successor, who shall serve ex officio.

32 **7. Quorum. A quorum shall consist of a majority**
33 **of the members of the board of trustees. No action**
34 **may be taken without the affirmative vote of 5**
35 **appointed members present and voting.**

1 Sec. 3. 20-A MRSA §12706, sub-§§1, 10 and 19 as
2 enacted by PL 1985, c. 695, §11, are amended to read:

3 1. Policies. To develop and adopt policies for
4 the operation of the system, the Maine Vocational-
5 Technical Institute Support System Office and the in-
6 stitutes; establish the administrative council; and
7 approve programs and policies recommended by the ex-
8 ecutive director and the administrative council;

9 10. Legal affairs. To sue and be sued in its own
10 name. Services of process in any action shall be made
11 by service upon the executive director, either in
12 hand or by leaving a copy of the process at the Maine
13 Vocational-Technical Institute Support System Office;

14 19. Advisory committees. To appoint or identify
15 advisory committees to advise the board of trustees
16 with respect to vocational and technical education
17 and training policies and programs, to procedures for
18 modifying the programs of the institutes to meet the
19 needs of the State's economy and the changing job
20 market and to the efficient operation of the insti-
21 tutes and the Maine Vocational-Technical Institute
22 Support System Office. These committees may include,
23 but need not be limited to, the Maine Council on Vo-
24 cational Education, authorized under the United
25 States Carl D. Perkins Vocational Education Act, Sec-
26 tion 112, Public Law 98-524, or its successor.

27 Sec. 4. 20-A MRSA §12709, sub-§§2, 4, 5 and 8,
28 as enacted by PL 1985, c. 695, §11, are amended to
29 read:

30 2. Maine Vocational-Technical Institute System
31 Office staff appointment. Under procedures and stan-
32 dards developed by the board of trustees, to appoint
33 the staff of the Maine Vocational-Technical Institute
34 Support System Office, including professional and
35 nonprofessional personnel and including, but not lim-
36 ited to, private legal counsel and financial experts;

37 4. Staff oversight. To oversee the staff of the
38 Maine Vocational-Technical Institute Support System
39 Office and the directors of the institutes;

1 5. Personnel evaluation. Under policies and
2 standards developed by the board of trustees, to
3 evaluate the performance of the Maine Vocational-
4 Technical Institute Support System Office staff and
5 of the directors of the institutes and to make per-
6 sonnel recommendations to the board of trustees;

7 8. Accounting system and procedures. To provide
8 for an accounting system and procedures which will
9 reflect and identify all appropriations, allocations,
10 income and revenues and all expenditures of each in-
11 stitute and the Maine Vocational-Technical Institute
12 Support System Office;

13 Sec. 5. 20-A MRS §12710, as enacted by PL 1098,
14 c. 695, §11, is amended to read:

15 §12710. Maine Vocational-Technical Institute System
16 Office

17 The Maine Vocational-Technical Institute Support
18 System Office shall implement the policies of the
19 board of trustees and shall provide staff and techni-
20 cal assistance to each institute and state-level co-
21 ordination and leadership to the system.

22 Sec. 6. 20-A MRS §12712, sub-§3, as enacted by
23 PL 1985, c. 695, §11, is amended to read:

24 3. Nomination of assistant directors. The direc-
25 tor of each institute shall nominate an assistant di-
26 rector, deans and ~~director-of-finance~~ assistant di-
27 rector of administrative services for appointment by
28 the board of trustees.

29 Sec. 7. 26 MRS §1022, sub-§1-C, ¶A, as enacted
30 by PL 1985, c. 695, §13, is amended to read:

31 A. The Board of Trustees of the Maine Vocation-
32 al-Technical Institute System shall ~~may~~ use the
33 Office of Employee Relations for the purposes of
34 this chapter. ~~This--paragraph--shall--be--repeated~~
35 ~~June-30, 1987.~~

36 Sec. 8. PL 1985, c. 695, §20, sub-§7, last ¶ is
37 amended to read:

1 The Department of Personnel shall assist the
2 Board of Trustees of the Maine Vocational-Technical
3 Institute System with the orderly implementation of
4 these provisions, to be completed on or before July 1
5 1987 1988.

6 Sec. 9. PL 1985, c. 695, §22, 2nd sentence is
7 repealed and the following enacted in its place:

8 The organization of the Maine Vocational-Technical
9 Institute System Office shall be accomplished in or-
10 derly stages and shall be completed on or before July
11 1, 1988. The Joint Standing Committee on State and
12 Local Government shall review the Maine Vocational-
13 Technical Institute's transition implementation.

14 Sec. 10. Carry forward. The General Fund appro-
15 priations for the Maine Vocational-Technical Insti-
16 tute System and individual vocational-technical in-
17 stitutes shall carry forward to fiscal years 1988 and
18 1989 to be used for the same purposes.

19 Sec. 11. Appropriation. The following funds are
20 appropriated from the General Fund to carry out the
21 purposes of this Act.

22		<u>1987-88</u>	<u>1988-89</u>
23	<u>MAINE VOCATIONAL-TECH-</u>		
24	<u>NICAL INSTITUTE SYSTEM</u>		
25	All Other	\$1,441,374	\$1,331,302
26	Provides funds for		
27	the organization		
28	and operation of		
29	the Maine Voc-		
30	ational-Technical		
31	Institute System.		
32	All Other	254,116	247,284

1 Provides funds to
2 strengthen the
3 business opera-
4 tions of each voc-
5 ational-technical
6 institute.

7
8 Total \$1,695,490 \$1,578,586

9 **Emergency clause.** In view of the emergency cited
10 in the preamble, this Act shall take effect when ap-
11 proved.

12 STATEMENT OF FACT

13 The purpose of this bill is to provide changes to
14 Public Law 1985, chapter 695, and necessary funding
15 to carry out the intent of that law and to implement
16 the orderly and systematic transition of the Maine
17 Vocational-Technical Institute System.

18 The figures in the appropriation section were ar-
19 rived at based on the following schedule:

20		<u>1987-88</u>	<u>1988-89</u>
21	System Office		
22	Personal Services	\$ 866,219	\$ 929,771
23	All Other	606,757	612,531
24	Capital Expenditures	19,398	
25			
26	Total	<u>\$1,492,374</u>	<u>\$1,542,302</u>
27	Less Estimated Reve-		
28	nue:		
29	Investment - Inter-	(\$ 6,000)	(\$ 25,000)
30	est Income		
31	Indirect Cost Recov-		(51,000)
32	ery		
33	Administrative Over-	(45,000)	(135,000)
34	head		

1			
2	Total	<u>\$1,441,374</u>	<u>\$1,331,302</u>
3	VTI Business Opera-		
4	tions		
5	Personal Services	\$ 237,855	\$ 238,404
6	All Other	11,095	8,880
7	Capital Expenditures	5,166	
8			
9	Total	<u>\$ 254,116</u>	<u>\$ 247,284</u>
10			
11	TOTAL	<u>\$1,695,490</u>	<u>\$1,578,586</u>
12			2575051487