

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1078

S.P. 412

In Senate, April 6, 1989

Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TITCOMB of Cumberland.

Cosponsored by Representative MARSTON of Oakland, Representative BURKE of Vassalboro and Senator KANY of Kennebec.

STATE OF MAINE

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

An Act Concerning the Construction of Portable Classrooms.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 20-A MRSA §15603, sub-§8, ¶¶B to D, as enacted by PL**
5 1983, c. 859, Pt. G, §§2 and 4, are amended to read:

7 **B. Lease costs for school buildings when the leases,**
9 including leases under which the school administrative unit
11 may apply the lease payments to the purchase of portable,
13 temporary classroom space beginning January 1, 1988, have
15 been approved by the commissioner for the year prior to the
17 year of allocation;

19 **C. The portion of the tuition costs applicable to the**
21 **insured value factor computed under Title--20-A, section**
23 **5806, for the base year; and**

25 **D. Funds allocated by the state board to administrative**
27 **units to cover the costs of new school construction projects**
29 **funded in the current fiscal year; and**

31 **Sec. 2. 20-A MRSA §15603, sub-§8, ¶E is enacted to read:**

33 E. Purchase or cost of construction of portable, temporary
35 classroom space as approved by the commissioner beginning
37 January 1, 1988.

39 **Sec. 3. 20-A MRSA §15603, sub-§19-A is enacted to read:**

41 19-A. Portable, temporary classroom space. "Portable,
43 temporary classroom space" means one or more mobile or modular
45 buildings which are at least partially constructed off-site and
47 which are designed to be moved to other sites with a minimum of
49 disassembly and reassembly.

51 **Sec. 4. 20-A MRSA §15605, sub-§2, ¶D, as enacted by PL 1983,**
c. 859, Pt. G, §§2 and 4, is amended to read:

D. The requested funding levels for debt service under
section 15604, subsection 1, paragraph G, shall be as
follows:

(1) The known obligations and estimates of anticipated
principal and interest costs for the year of
allocation;

(2) The expenditures for the insured value factor for
the base year;

(3) The level of leases, including leases under which
the school administrative unit may apply the lease
payments to the purchase of portable, temporary
classroom space beginning January 1, 1988, approved by

1 the commissioner for the year prior to the year of
allocation; and
3
4 (4) Funds allocated by the state board for new school
5 construction projects funded in the current fiscal
year; and
7
8 (5) Funds approved by the commissioner for purchase of
9 portable, temporary classroom space for the year of
10 allocation, beginning January 1, 1988.

11 Sec. 5. 20-A MRSA §15917 is enacted to read:
13

15 §15917. Construction of portable, temporary classroom space

17 1. Program established. The Student Construction Program
18 is established to provide secondary and post-secondary students
19 with an opportunity to build portable, temporary classroom space
20 for school administrative units as part of the curriculum.

21 2. Guidelines. The commissioner shall adopt guidelines for
22 secondary and post-secondary schools to develop programs in which
23 students devote a portion of class time to the construction of
24 portable, temporary classrooms. The program, if adopted by the
25 school administrative unit, must be part of the curriculum.

26 3. Payment; rules. The commissioner shall adopt rules
27 governing payment for construction materials, equipment, labor,
28 other than student labor, technical assistance and any other
29 materials or services necessary to construct portable, temporary
30 classrooms. The commissioner may adopt any other rules necessary
31 to carry out this section.

32 4. School administrative unit as owner. The school
33 administrative unit is the owner of all portable, temporary
34 classroom space constructed for the unit, and may use the
35 portable, temporary classroom space or sell or lease any of the
36 portable, temporary classroom space for any purpose.

37 5. Purchase of portable, temporary classroom space not
38 precluded. This section does not preclude a school
39 administrative unit from purchasing portable, temporary classroom
40 space already built under usual school construction procedures.

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STATEMENT OF FACT

Under the current law, part of the state subsidy which school administrative units receive is based on the funds they expend to lease portable, temporary classrooms. The subsidy does

1 not cover funds used for the purchase or construction of portable
classrooms.

3

5 The purpose of this bill is to include rent-to-own lease
payments in the state subsidy calculations beginning January 1,
7 1988. The State currently makes payments of over \$1,360,000 a
year for the lease of temporary classroom space, and yet has
9 nothing tangible to show for the expenditures. This bill also
includes purchases of portable, temporary classroom space in the
subsidy calculations.

11

13 In addition, this bill requires the Commissioner of
Educational and Cultural Services to develop guidelines for
15 schools to set up programs for students of high schools and
post-secondary schools, such as vocational-technical institutes,
17 to build portable classrooms for the school administrative units
as part of the school curriculum. Once a classroom is built, the
19 school administrative unit may use it, or may sell it or lease
it, for any purposes.