

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1223

H.P. 857

House of Representatives, March 21, 1991

Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative GOODRIDGE of Pittsfield.

Cosponsored by President PRAY of Penobscot and Representative POULIOT of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Permit Maine School Administrative District Number 53 to
Apply for State School Construction Aid for a Building to be Operated in
Conjunction with Maine Central Institute.**



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

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Sec. 1. Application. Maine School Administrative District Number 53 is authorized to submit to the Department of Education an application for a school construction project to construct and equip a life skills building to be located on land adjacent to the campus of Maine Central Institute in Pittsfield and to be used in conjunction with the secondary education program provided on a tuition basis to the students of Maine School Administrative District Number 53 by the Trustees of Maine Central Institute.

Sec. 2. Review. The Maine School Administrative District Number 53 school construction project must be rated by the Department of Education on the same basis as other school construction projects, treating the facilities and programs provided by the Trustees of Maine Central Institute to the students of Maine School Administrative District Number 53 on a tuition basis as if they were the facilities and programs of Maine School Administrative District Number 53, taking into consideration that the Trustees of Maine Central Institute will continue to serve the existing private tuition students. In reviewing the proposed school construction project, the State Board of Education is not bound by the minimum site size established by the rules of the State Board of Education.

Sec. 3. Agreements. Before the State Board of Education grants concept approval for the school construction project, the Board of Directors of the Maine School Administrative District Number 53 and the Trustees of Maine Central Institute shall negotiate a maintenance and use agreement for the building that must be submitted to the voters of Maine School Administrative District Number 53 for approval as part of the article authorizing the issuance of bonds or notes of the district for the school construction project. Successor maintenance and use agreements may be approved by the voters as part of the article approving any subsequent tuition contract between Maine School Administrative District Number 53 and the Trustees of Maine Central Institute.

Sec. 4. Agreement provisions.

1. The maintenance and use agreement must include provisions that:

A. Govern the responsibilities of Maine School Administrative District Number 53 and the Trustees of Maine Central Institute regarding maintenance of the building and grounds;

B. Govern the authority of Maine School Administrative District Number 53 and the Trustees of Maine Central Institute to regulate the use of the building and grounds;

- 2 C. Allocate responsibility for maintaining insurance on the
building and grounds;
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- 6 D. Ensure that the building will be used primarily to
provide education programs to the students of Maine School
Administrative District Number 53;
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- 10 E. Ensure that the insured value of the building is not
included in Maine Central Institute's insured value factor
for purposes of calculating the tuition rate under the Maine
12 Revised Statutes, Title 20-A, section 5806;
- 14 F. Govern the term of the agreement, except that the term
may not extend beyond 10 years or the remaining term of the
16 tuition contract between Maine School Administrative
District Number 53 and the Trustees of Maine Central
18 Institute at the time the building is completed, whichever
is shorter; and
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- 22 G. Ensure that if the tuition agreement between Maine
School Administrative District Number 53 and the Trustees of
24 Maine Central Institute is terminated, the building and land
remains the property of Maine School Administrative District
Number 53.

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28 2. Notwithstanding the provisions of the Maine Revised
Statutes, Title 20-A, chapter 202, the agreement may provide that:

- 30 A. Maine Central Institute has a right of first refusal on
the purchase of the building at fair market value if the
32 school directors of Maine School Administrative District
Number 53 decide to sell the building or convey it to the
34 Town of Pittsfield;
- 36 B. The Trustees of Maine Central Institute may make
payments to Maine School Administrative District Number 53
38 for the use of the building in an amount the parties
determine appropriate;
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- 42 C. A joint committee be established comprised of
representatives of the Trustees of Maine Central Institute
and the school directors of Maine School Administrative
44 District Number 53; and
- 46 D. A joint committee established pursuant to paragraph C
may have the responsibilities relating to the maintenance
48 and use of the building during the term of the agreement as
the parties may agree.
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52 **Sec. 5. Report.** If the building receives approval from the
State Board of Education and is constructed by Maine School
Administrative District Number 53, the Commissioner of Education

2 shall submit a report to the joint standing committee of the
Legislature having jurisdiction over education matters that
4 includes the recommendations of the commissioner and the State
Board of Education regarding similar building projects in other
6 districts that provide the tuition of their students on a
long-term basis to private academies.

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STATEMENT OF FACT

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This bill authorizes Maine School Administrative District
12 Number 53 to apply for state aid for a life skills building to be
used in conjunction with the program of Maine Central Institute
14 in Pittsfield, which provides secondary education to the students
of Maine School Administrative District Number 53 on a tuition
16 basis. The bill also provides for the Commissioner of Education
to submit a report to the Joint Standing Committee on Education
18 with recommendations regarding similar projects in school units
that provide the tuition of their students to private academies.

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