

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1152, L.D. 1677, Bill, "An Act to Recodify the Adult and Secondary Vocational Education Laws"

Amend the bill by striking the title and substituting the following:

**'An Act to Clarify and Revise the Adult and Secondary Vocational Education Laws'**

Further amend the bill by striking out all of section 1.

Further amend the bill in section 3 in that part designated "~~§8301-A.~~" in subsection 3 in the 5th line from the end (page 2, line 29 in L.D.) by striking out the following: "may" and inserting in its place the following: 'shall make its programs available to'

Further amend the bill in section 3 in that part designated "~~§8301-A.~~" in subsection 11 by inserting at the end the following: 'A school administrative unit shall make vocational education available to persons residing in the school administrative unit who are eligible to receive free public secondary education.'

Further amend the bill in section 5 in that part designated "~~§8305-A.~~" in subsection 3 by inserting at the end the following: 'A region, center or satellite program may charge reasonable fees to persons who are 20 years of age or older and who receive vocational education pursuant to this section.'

2 Further amend the bill in section 16 in that part designated  
3 "§8404." in subsection 3 in paragraph D by striking out all of  
4 the last sentence (page 14, lines 1 to 4 in L.D.) and inserting  
5 in its place the following: 'Following withdrawal by such a  
6 unit, the center shall, if the unit wishes, continue to serve  
7 that unit under a financial arrangement approved by the center  
8 that does not assess the unit a per pupil assessment that exceeds  
9 the per pupil assessments of the other participating units.'

10 Further amend the bill in section 18 in that part designated  
11 "§8451." in subsection 2 in paragraph H in the 3rd line (page 15,  
12 line 49 in L.D.) by striking the following: "Rumford;" and  
13 inserting in its place the following: 'Rumford;' and in 3rd line  
14 from the end (page 16, line 1 in L.D.) by striking the  
15 following: "and Roxbury" and inserting in its place the  
16 following: 'and, Roxbury and Rumford'

17 Further amend the bill by striking out all of section 21 and  
18 inserting in its place the following:

19 'Sec. 21. 20-A MRSA §8453, as amended by PL 1991, c. 80, is  
20 repealed.'

21 Further amend the bill in section 22 in that part designated  
22 "§8453-A." in subsection 1 in paragraph A in the first line (page  
23 21, line 13 in L.D.) by inserting after the following: "unit"  
24 the following: 'or group of units'

25 Further amend the bill in section 22 in that part designated  
26 "§8453-A." in subsection 1 in paragraph C in the last line (page  
27 21, line 19 in L.D.) by inserting after the following: "board"  
28 the following: 'or, by means of weighted voting, cast a vote on  
29 the cooperative board that is approximately equal to the number  
30 of persons in the region represented by the member relative to  
31 the number of persons in the region as a whole'

32 Further amend the bill in section 22 in that part designated  
33 "§8453-A." by striking out all of subsection 2 and inserting in  
34 its place the following:

35 '2. Appointments by school boards. A person appointed to a  
36 cooperative board is not required to be a member of a school  
37 board that appoints that member to that cooperative board.'

38 Further amend the bill in section 22 in that part designated  
39 "§8453-A." in subsection 3 in paragraph D in the first line (page  
40 21, line 38 in L.D.) by striking out the following: "D." and  
41 inserting in its place the following: 'C.'

42 Further amend the bill in section 26 in that part designated  
43 "§8457." by striking out all of subsection 4 and inserting in its  
44 place the following:

2 '4. **Compensation.** Cooperative A cooperative board members  
3 member may be paid up to \$10 for each meeting attended of the  
4 cooperative board or its subcommittees that the member attends.'

6 Further amend the bill by striking out all of section 35 and  
7 inserting in its place the following:

8 'Sec. 35. 20-A MRSA §8602, as enacted by PL 1981, c. 693, §§5  
10 and 8, is amended to read:

12 **§8602. Rules**

14 The commissioner shall ~~may~~ adopt ~~or~~-amend rules to establish  
15 ~~program-definitions requirements~~ for adult vocational-courses,  
16 ~~general-adult-courses,--handicapped-adult-courses,--high-school~~  
17 ~~completion--courses--and--basic--literacy~~ education courses, to  
18 establish procedures for approving adult education courses  
19 offered by units, regions or centers and to otherwise carry out  
20 the purposes of this chapter.

22 Sec. 36. 20-A MRSA §8602-A is enacted to read:

24 **§8602-A. Courses; approval**

26 Adult education courses may be offered by units, regions or  
27 centers with the approval of the commissioner.

28 Sec. 37. 20-A MRSA §§8603 and 8604, as enacted by PL 1981, c.  
30 693, §§5 and 8, are amended to read:

32 **§8603. Authority to raise, appropriate, receive and expend money**

34 A ~~school~~-administrative unit may:

36 1. **Fund adult education and educational activities.** Raise,  
37 appropriate, receive and ~~appropriate~~ expend money for the ~~support~~  
38 ~~of~~ adult education classes and educational activities. These  
39 classes Adult education and educational activities shall ~~be~~ are  
40 under the direction and supervision of the school board; and

42 2. **Fund tuition costs.** Raise, appropriate, receive and  
43 expend money to ~~cover~~-the pay tuition costs ~~resulting from its~~  
44 ~~residents--attending~~ charged to any resident of a municipality  
45 served by the unit who attends an adult education courses--in  
46 course offered by another school--administrative unit, if the  
47 courses-are adult education course is not offered by the unit of  
48 that serves the person's residence.

50 **§8604. Authority to operate programs not receiving state subsidy**

2 A school-board unit may make available facilities for adults  
3 for day and evening educational and recreational activities not  
4 reimbursed reimbursable by the State. These courses and  
5 activities may be financed by tuition fees, by funds voted made  
6 available by the school-administrative unit, by funds from other  
7 sources or by a combination of these.'

8 Further amend the bill in section 36 in that part designated  
9 "§8605." in subsection 1 by inserting at the end a new blocked  
10 paragraph to read:

11 'Priority to enroll in any adult education course offered by a  
12 unit, region or center must be given first to residents of  
13 municipalities served by that unit, region or center.'

14 Further amend the bill in section 36 in that part designated  
15 "§8605." in subsection 2 by striking out all of paragraph A and  
16 inserting in its place the following:

17 'A. ~~A student age 16 through 20 years,~~ Such a person who  
18 enrolls in a semester adult evening-school education course,  
19 shall be is counted as .1 of a student for each such course.'

20 Further amend the bill in section 40 in that part designated  
21 "§8609." in subsection 1 in the first 2 lines (page 40, lines 14  
22 and 15 in L.D.) by striking out the following: ", with the  
23 approval of the commissioner," and inserting in its place the  
24 following: ~~'with the approval of the commissioner,'~~

25 Further amend the bill by striking out all of section 41 and  
26 inserting in its place the following:

27 'Sec. 41. 20-A MRSA §8610, as amended by PL 1983, c. 806,  
28 §72, is repealed.'

29 Further amend the bill by renumbering the sections to read  
30 consecutively.

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### STATEMENT OF FACT

33 This amendment clarifies the original intent of the bill and  
34 makes the following technical changes:

35

36 1. It changes the title to one that more accurately  
37 describes the bill;

38 2. It eliminates a part of the bill that has already been  
39 addressed by L.D. 1252, currently pending enactment by this  
40 Legislature;

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2 3. It clarifies that a vocational center must make its  
4 programs available to serve students residing in school  
administrative units with which the vocational center is  
affiliated;

6 4. It clarifies that a school administrative unit shall at  
8 all times make vocational education available to persons eligible  
to receive free public secondary education residing in that  
10 school administrative unit, as is now the case under Department  
of Education rules;

12 5. It clarifies that a vocational region, vocational center  
14 or vocational satellite program may charge reasonable fees to  
adults who enroll, on a space-available basis, in vocational  
16 education courses;

18 6. It clarifies that, if a school administrative unit  
wishes to withdraw from a cost-sharing formula with a vocational  
20 center that serves the unit, the unit shall continue to make  
vocational education available to its persons of secondary school  
22 age either at the vocational center with which it is affiliated  
on a fee-for-services basis approved by the vocational center or  
24 at some other vocational center or vocational region pursuant to  
the reorganization procedure of Title 20-A, chapter 313. In  
26 addition, until the withdrawing unit arranges for another method  
of providing vocational education to its persons of secondary  
28 school age, the center serving the unit shall, at the option of  
the unit, continue to serve the unit under a financial  
30 arrangement that incorporates a per pupil assessment that does  
not exceed the per pupil assessments of the center's other  
32 participating units;

34 7. It recognizes the fact that Rumford has joined School  
Administrative District No. 43;

36 8. It amends a history to reflect changes made by this  
38 Legislature in Public Law 1991, chapter 80;

40 9. It clarifies the fact that a member of the cooperative  
board of a vocational region can represent a group of school  
42 administrative units served by the region;

44 10. It legitimizes a current practice by some cooperative  
boards of vocational regions of using weighted voting formulas to  
46 comply more accurately with one person, one vote requirements;

48 11. It preserves the intent and substance of Public Law  
1991, chapter 80 enacted by this Legislature and recodified in  
50 the bill;

52 12. It corrects a typographical error;

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2 13. It eliminates a proposal in the bill to increase the  
compensation of members of cooperative boards;

4 14. It clarifies that priority to enroll in an adult  
6 education course must be given first to residents of  
municipalities served by the school administrative unit,  
8 vocational region or vocational center offering such an adult  
education course;

10 15. It clarifies, as is now the case under current law,  
12 that a person of secondary school age who enrolls in an adult  
education course is counted under the school finance laws as .1  
14 of a student for each such course in which the person enrolls;

16 16. It reflects the fact that the Joint Standing Committee  
on Education believes it is not necessary for the Commissioner of  
18 Education to be required to approve separate registration fee  
schedules for all local adult education courses offered  
20 throughout the State; and

22 17. It repeals a section of the Maine Revised Statutes,  
Title 20-A, that is made redundant by the committee amendment to  
the bill.

Reported by the Committee on Education  
Reproduced and distributed under the direction of the Clerk of the  
House  
(6/11/91) (Filing No. H-658)