

# MAINE STATE LEGISLATURE

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L.D. 1124

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**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 807, L.D. 1124, Bill, "An Act to Establish the Education Reform Act of 1995"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 20-A MRSA §15905, sub-§1, ¶A, as amended by PL 1993, c. 693, §1, is further amended to read:

A. The state board may approve projects as long as no project approval will cause debt service costs, as defined in section 15603, subsection 8, paragraph A, to exceed the maximum limits specified in Table 1 in subsequent fiscal years.

Table 1

Fiscal year	Maximum Debt Service Limit
1990	\$48,000,000
1991	\$57,000,000
1992	\$65,000,000
1993	\$67,000,000
1994	\$67,000,000
1995	\$67,000,000
1996	\$67,000,000
1997	\$67,000,000

**COMMITTEE AMENDMENT**

1998	\$67,000,000
<u>1999</u>	<u>\$69,000,000</u>
<u>2000</u>	<u>\$70,000,000</u>

Sec. 2. 20-A MRS §15905, sub-§6 is enacted to read:

6. Facility maintenance plan required. The state board shall require a school administrative unit applying for state funds for a school construction project to establish a facility maintenance plan for the projected life cycle of the proposed school building. The department shall provide technical assistance to school administrative units in carrying out this section. Assistance must include, but is not limited to, the provision of a model facility maintenance plan and the provision of technical and other assessment information from the school facilities inventory under section 15917.

Sec. 3. 20-A MRS §15917 is enacted to read:

§15917. School facilities inventory

1. Inventory. The department shall conduct an inventory of all public school facilities in the State through a survey sent to each school principal. For the inventory, the school principal shall identify each public school building and include the following information for each building for which that principal serves as the principal:

A. A systematic and comprehensive assessment of the physical condition of the building;

B. Building use statistics; and

C. A list of rooms by program area.

The survey must be completed by December 1, 1996.

2. Data base established. The department shall establish and maintain a school facilities data base. The data base must be available for inclusion in the education information system maintained by the Education Research Institute and established in section 10.

3. Inventory updated. The department shall update information from the inventory at least every 3 years.

Sec. 4. P&SL 1995, c. 32, §2 is repealed.

Sec. 5. State Board of Education to convene study. The State Board of Education shall convene a study group to review

and make recommendations on school construction issues. The chair of the state board shall appoint at least 6 members to the study group. The cochairs of the Joint Standing Committee on Education and Cultural Affairs shall appoint 2 members of the committee to serve on the study group. The study group shall submit its report to the Joint Standing Committee on Education and Cultural Affairs by December 1, 1996. The study group shall consider the following issues:

1. Requiring a minimum local contribution from a school administrative unit for school construction costs in any year in which the local share of school construction costs exceeds the debt service circuit breaker amount for that unit;

2. Revising the school construction project rating system by including consolidation as a criteria in the rating system. The study group must consider recommendations on including consolidation in the rating system made by the Department of Education, the State Board of Education and the Committee to Study Organizational and Tax Issues in Public Schools;

3. Further revising the school construction project rating system by adding to or subtracting from the current rating criteria, which include buildings and grounds, school population, programs and community use of facilities;

4. Use of state school construction funds to subsidize major repairs to a school building;

5. Requiring school administrative units to prepare cost comparisons between new construction and the renovation of existing school buildings when applying for the approval of school construction projects; and

6. Other school construction issues that a majority of the study committee agrees to review.

**Sec. 6. Retroactive.** That section of this Act that repeals Private and Special Law 1995, chapter 32, section 2 applies retroactively to June 27, 1995.'

Further amend the bill by inserting at the end before the statement of fact the following:

**FISCAL NOTE**

Increasing the debt service limit from \$67,000,000 in fiscal year 1997-98 to \$69,000,000 in fiscal year 1998-99 and \$70,000,000 in fiscal year 1999-00 will result in additional General Fund debt service costs to the Department of Education,

General Purpose Aid to Local Schools program. If additional General Fund appropriations, estimated to be \$1,400,000 in fiscal year 1998-99 and \$2,100,000 in fiscal year 1999-00, are not provided, funds will be diverted from operating cost categories to cover the additional debt service costs.

If a school unit applies for state funding for a school construction project, it will be required to prepare a facility maintenance plan for the projected life of the proposed school building. The additional local costs that may occur to prepare this plan can not be determined.

The additional costs associated with conducting an inventory of all public school facilities and establishing a school facilities data base can be absorbed by the Department of Education utilizing existing budgeted resources.

The additional costs associated with conducting a review of school construction issues can be absorbed by the State Board of Education utilizing existing budgeted resources.'

### STATEMENT OF FACT

The amendment replaces the original bill. The amendment establishes ceilings for debt service to the year 2000. The amendment also does the following:

1. Requires all schools applying for state funds for a school construction project to establish a facility maintenance plan;
2. Requires the Department of Education to conduct a survey for the purpose of establishing an inventory of all school facilities in the State;
3. Requires the State Board of Education to establish a study group for the purpose of reviewing and making recommendations on a number of school construction issues;
4. Repeals the time limit from Private and Special Law 1995, chapter 32 that required the Maine School Administrative District No. 49 to enter into a design-build contract or other alternative construction arrangement within 2 years of approval at referendum or lose the authority to do so; and
5. Adds a fiscal note to the bill.