

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1211

S.P. 444

In Senate, April 5, 1995

An Act to Amend the Requirements for School Construction Projects.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator McCORMICK of Kennebec.

Cosponsored by Senator: PINGREE of Knox, Representative: AULT of Wayne.

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

2
4 **Sec. 1. 20-A MRSA §15901, sub-§4, ¶E**, as repealed and replaced
by PL 1983, c. 613, is amended to read:

6 E. The complete substantial restoration of existing school
8 buildings in lieu of replacement ~~when in the judgment of the~~
~~commissioner the action is in the best interest of the State~~
10 and local unit under the terms of section 15905, subsection
5; and

12 **Sec. 2. 20-A MRSA §15901, sub-§4, ¶F**, as enacted by PL 1981, c.
14 693, §§5 and 8, is amended to read:

16 F. Off-site construction ~~may only be included within the~~
~~meaning of this term if, in the judgment of the~~
~~commissioner, it is economically in the best interests of~~
18 ~~the State or there is no other practical way to complete a~~
20 project in accordance with the provisions of section 15905,
subsection 5.

22 **Sec. 3. 20-A MRSA §15905, sub-§5**, as enacted by PL 1993, c.
24 410, Pt. ZZZ, §1, is amended to read:

26 5. Approval criteria. In approving school construction
projects, the state board shall ensure that school administrative
28 units make efficient use of existing and proposed facilities by
considering:

30 A. Substantial restoration or renovation of existing school
facilities in lieu of new construction;

32 B. When feasible, agreements for sharing facilities with
34 neighboring school administrative units;

36 C. Consolidated applications for more than one school
construction project on a single site when cost savings can
38 be realized by the consolidation; and

40 D. Off-site construction, if, in the judgment of the
commissioner, it is economically in the best interests of
42 the State or school administrative unit, or there is no
44 other practical way to complete the project.

46 **Sec. 4. 20-A MRSA §15908, sub-§4**, as enacted by PL 1993, c.
Pt. B, §1, and affected by Pt. H, §1, is amended to read:

48 **4. Consistent siting.** The state board shall adopt criteria
50 governing applications under this chapter to direct construction
projects for new schools to areas determined suitable under the

2 provisions of Title 30-A, chapter 187, subchapter II, by the
3 municipality within which the project will be located. The board
4 may not require a minimum parcel or minimum contiguous parcel
5 size for the project as a condition of approval.

6
7 **STATEMENT OF FACT**

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9 This bill amends the school construction laws by:

10 1. Allowing "substantial" restoration, rather than
11 "complete" restoration, to be considered for state funding if it
12 is in lieu of new construction;

13 2. Deleting substantive criteria from the definitions
14 subsection and moving them to the approval criteria subsection as
15 appropriate;

16 3. Allowing consideration of consolidated applications for
17 more than one school construction project if the applicants use a
18 single site and cost savings would result from the consolidation;
19 and

20 4. Amending the design limits to eliminate any board
21 requirements for minimum parcel size if the location is
22 consistent with the town comprehensive plan and other approval
23 criteria are met.
24
25
26