

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1454

H.P. 1035

House of Representatives, May 2, 1995

**An Act to Make Changes in the Law Establishing the Maine School of
Science and Mathematics.**

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative O'NEAL of Limestone.
Cosponsored by Senator PARADIS of Aroostook and
Representatives: DESMOND of Mapleton, DONNELLY of Presque Isle, ROBICHAUD of
Caribou, SIROIS of Caribou, WHEELER of Bridgewater, Senators: AMERO of Cumberland,
HARRIMAN of Cumberland, KIEFFER of Aroostook.

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

2
4 **Sec. 1. 20-A MRSA §8201**, as enacted by PL 1993, c. 706, Pt. A, §4, is amended to read:

6 **§8201. School established**

8 The Maine School of Science and Mathematics is established
10 as a public, chartered school pursuant to this chapter for the
12 purpose of providing certain high-achieving high school students
14 with a challenging educational experience. The school is a body
16 politic and corporate and is an instrumentality and agency of the
18 State. The exercise by the school of the powers conferred by
20 this chapter is the performance of an essential public function
22 by and on behalf of the State.

24 **Sec. 2. 20-A MRSA §8205, sub-§§1, 3, 15 and 16**, as enacted by PL
26 1993, c. 706, Pt. A, §4, are amended to read:

28 **1. Policies and bylaws.** To develop and adopt policies and
30 rules, including bylaws, necessary or useful for the operation of
32 the school;

34 **3. Financial management.** To appoint a treasurer, who need
36 not be a member of the board of trustees, and to accept
38 donations, bequests or other forms of financial assistance for
40 any educational purpose from a public or private person or agency
42 and to comply with rules and regulations governing grants from
44 the Federal Government or from any other person or agency;

46 **15. Benchmarks and assessments.** To establish benchmarks
48 and methods of assessing progress in the levels of academic
50 achievement in mathematics and science for students who
participate in school programs and to establish benchmarks and
methods of assessing progress in the professional development of
teachers who participate in school programs; and

52 **16. Report.** To report biennially to the Governor and the
54 joint standing committee of the Legislature having jurisdiction
56 over education matters on the results of the assessment in
subsection 15 by the board of trustees and the general status of
the school;

58 **Sec. 3. 20-A MRSA §8205, sub-§§17 and 18** are enacted to read:

60 **17. Sue or be sued.** To sue or be sued in the name of the
school; and

62 **18. Other.** To do any other act necessary or useful for
64 carrying out its powers, duties or purposes.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48

Sec. 4. 20-A MRSA §8207 is enacted to read:

§8207. Financing authority

The board of trustees may borrow money for renovation and construction purposes by issuing bonds or notes in the name of the school to the Maine Health and Higher Educational Facilities Authority to pay for costs as defined in Title 22, section 2053, subsection 3 and may issue temporary notes and renewal notes to pay for those costs. Bonds or notes issued by the school are legal obligations of the school payable solely from its revenues and other sources of funds and do not constitute a debt or liability and those bonds and notes are not includable in any debt limitation of the State or any municipality or political subdivision of the State. The board of trustees has the discretion to fix the date, maturities, denomination, interest rate, place of payment, form and other details of the bonds or notes of the school. Unless otherwise provided in the vote authorizing their issuance, bonds or notes of the school are signed by the treasurer and countersigned by the chair of the board of trustees. The aggregate principal amount of outstanding bonds or notes issued by the school may not exceed \$3,000,000 at any one time, excluding temporary notes and renewal notes. The proceeds of bonds or notes of the school may be invested in accordance with Title 30-A, sections 5706 and 5712. The board of trustees may pledge or assign its revenues, including any funds that have been or may be appropriated to the school by the Town of Limestone, and the proceeds of those revenues to the Maine Health and Higher Educational Facilities Authority or to a trustee of the school's board of trustees under the terms of a trust agreement on terms that the Maine Health and Higher Educational Facilities Authority may require in connection with the issuance of bonds or notes by the school.

STATEMENT OF FACT

This bill clarifies the law establishing the Maine School of Science and Mathematics by adding language stating that the school is an agency of the State.

The bill adds language establishing a treasurer position for financial management for the Board of Trustees of the Maine School of Science and Mathematics and adds language that allows the board of trustees to sue or be sued in the name of the school. It also adds a section to the law establishing the financing authority of the board of trustees and stating what it may do regarding bonds and notes of the school.