

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 573

H.P. 431

House of Representatives, January 19, 1999

**An Act Relating to the Construction of a Locally Funded Arts and
Technology Center in Maine School Administrative District No. 49.**

(EMERGENCY)

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 TESSIER of Fairfield.
Cosponsored by Senator MILLS of Somerset and
Representatives: BUMPS of China, DESMOND of Mapleton, GAGNON of Waterville,
MATTHEWS of Winslow.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 Whereas, Private and Special Law 1995, chapter 32 and
Private and Special Law 1997, chapter 59 authorized Maine School
Administrative District No. 49 to enter into a design-build
8 contract or other alternative construction arrangements to
construct an arts and technology center in the Town of Fairfield;
10 and

12 Whereas, Maine School Administrative District No. 49
conducted a design-build competition and requested a number of
14 design-build firms to submit proposals for the design and
construction of the arts and technology center; and

16
18 Whereas, the building committee of Maine School
Administrative District No. 49 has selected a proposal for the
design and construction of the arts and technology center that
20 combines new construction and reconstruction of existing school
facilities; and

22
24 Whereas, a question has arisen whether the concept design of
the project is within the scope of the original authorization of
Private and Special Law 1995, chapter 32 and Private and Special
26 Law 1997, chapter 59; and

28 Whereas, Maine School Administrative District No. 49 cannot
proceed with the design and construction of the project until its
30 authority has been clarified; and

32 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
34 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
36 safety; now, therefore,

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

40 **Sec. 1. Authority to construct arts and technology center.** Subject
to approval of the voters of Maine School Administrative District
42 No. 49 at a referendum conducted on or after January 19, 1999,
the Board of School Directors of Maine School Administrative
44 District No. 49 is authorized to construct and equip a locally
funded arts and technology center employing a design for the
46 project that includes a technology suite, an auditorium using the
structure of the existing junior high school gymnasium, a new
48 junior high school gymnasium and other additions and improvements
to the Lawrence Junior-Senior High School complex, with the total
50 cost of the project not to exceed

2 \$5,500,000, including \$4,700,000 from the Town of Fairfield's
Bert Williamson Fund previously paid to the district by the
4 municipal officers of the Town of Fairfield, with the balance of
the total project costs to be derived from conditional and
6 unconditional gifts obtained by the district through fund
raising, available funds of the district from sources other than
8 taxation and interest earnings on the Williamson Fund and other
funds described in this section. The additional operating costs
10 of the project during its first 2 years must be paid from
conditional and unconditional gifts obtained by the district
12 through fund raising, available funds of the district from
sources other than taxation and local appropriations without
14 state participation approved by the voters of the district
pursuant to the Maine Revised Statutes, Title 20-A, section
15614, subsection 3. The district is authorized to enter into a
16 design-build contract or to employ other alternative construction
arrangements for the project. Notwithstanding the provisions of
18 Title 20-A, sections 15903, 15905-A, 15908 and 15910, or other
applicable laws, this project is not subject to approval by the
20 Commissioner of Education or the Department of Administrative and
Financial Services, Bureau of General Services. This Act may not
22 be construed as waiving any building construction standards
related to health or safety that apply to school construction
24 projects, and the specifications for the project must be approved
by the State Fire Marshal and the Department of Human Services.

26 **Sec. 2. P&SL 1995, c. 32 is repealed.**

28 **Sec. 3. P&SL 1997, c. 59 is repealed.**

30 **Emergency clause.** In view of the emergency cited in the
32 preamble, this Act takes effect when approved.

34 SUMMARY

36 This bill repeals Private and Special Law 1995, chapter 32
38 and Private and Special Law 1997, chapter 59, which authorized
Maine School Administrative District No. 49 to construct and
40 equip a locally funded arts and technology center. Subject to
approval by the voters of the district, the bill authorizes the
42 Board of School Directors of Maine School Administrative District
No. 49 to expend \$5,500,000 and to use a design for its proposed
44 locally funded arts and technology center that includes a
technology suite, an auditorium using the structure of the
46 existing junior high school gymnasium, a new junior high school
gymnasium and other additions and improvements to the Lawrence
48 Junior-Senior High School complex in the Town of Fairfield. This
bill clarifies that construction of an auditorium using the
50 structure of the existing junior high school gymnasium and

2 construction of a new junior high school gymnasium are permitted
as part of the project. As with the prior laws, the district is
3 authorized to enter into a design-build contract or other
4 alternative construction arrangements for the project and the
only state approvals required for the project are approval of the
5 plans and specifications by the State Fire Marshal and the
6 Department of Human Services.

8

10 The additional operating costs of the project during its
first 2 years are required to be paid from gifts to the district,
11 available funds of the district from sources other than taxation
and local appropriations without state participation approved by
12 the voters of the district pursuant to the Maine Revised
14 Statutes, Title 20-A, section 15614, subsection 3.