

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1377

S.P. 421

In Senate, March 5, 2001

An Act to Credit a Town for Payment from Local Funds for School Construction.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator LONGLEY of Waldo.

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

2
4 **Sec. 1. 20-A MRSA §15903, sub-§3, ¶A**, as amended by PL 1985,
c. 785, Pt. A, §93, is further amended to read:

6 A. The Bureau of Public--Improvements General Services,
Department of Administration Administrative and Financial
8 Services;

10 **Sec. 2. 20-A MRSA §15905, sub-§1, ¶A**, as amended by PL 1999,
c. 731, Pt. YY, §3, is further amended to read:

12 A. The state board may approve projects as long as no
14 project approval will cause debt service costs, as defined
16 in section 15603, subsection 8, paragraph A, to exceed the
maximum limits specified in Table 1 in subsequent fiscal
18 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
1998	\$ 67,000,000
1999	\$ 69,000,000
2000	\$ 72,000,000
2001	\$ 74,000,000
2002	\$ 74,000,000
2003	\$ 80,000,000
2004	\$ 80,000,000
2005	\$ 84,000,000
<u>2005</u>	<u>\$ 94,000,000</u>
<u>2006</u>	<u>\$ 96,000,000</u>

42 **Sec. 3. 30-A MRSA §6006-F, sub-§3, ¶A**, as enacted by PL 1997,
44 c. 787, §13, is amended to read:

46 A. To make loans to school administrative units for school
48 repair and renovation, including a renovation or repair
required to mitigate a school facility issue that poses a
50 serious health or safety emergency.

2 (1) The following repair and renovation needs receive
first priority status:

4 (a) Repair or replacement of a roof on a school
building;

6 (b) Bringing a school building into compliance
8 with the federal Americans with Disabilities Act,
42 United States Code, Section 12101 et seq.;

10 (c) Improving air quality in a school building;

12 (d) Removing asbestos from or abating asbestos in
14 a school building;

16 (e) Removing underground oil storage tanks on the
18 grounds of a school building; and

20 (f) Undertaking other health, safety and
compliance repairs.

22 (2) Repairs and improvements not related to health,
24 safety and compliance repairs receive 2nd priority
status. Those repairs and improvements are limited to
26 a school building structure, windows and doors and to a
school building water or septic system.

28 (3) Upgrade of learning spaces in school buildings and
30 small-scale capital improvements receive 3rd priority
status.

32 (4) The Commissioner of Education may approve other
34 necessary repairs;

36 **Sec. 4. 30-A MRSA §6006-F, sub-§3-A is enacted to read:**

38 3-A. Bureau of General Services; account for administrative
39 expenses. The Department of Administrative and Financial
40 Services, Bureau of General Services shall provide a full
41 accounting of the construction funds received for administrative
42 expenses in connection with reviewing the specifications and
43 plans for each individual school construction project. The
44 account must include, but may not be limited to, the amount of
45 time spent on each project, the types of services rendered in
46 their project review and all related administrative expenses, and
47 must be presented to the Department of Administrative and
48 Financial Services.

50 **Sec. 5. 30-A MRSA §6006-G is enacted to read:**

2 **§6006-G. Credit for nonstate funded projects**

4 **1. State Board of Education approval.** Notwithstanding any
6 other provision of this chapter or rule to the contrary, a school
8 administrative unit is solely responsible for the principal and
10 interest costs of a nonstate funded school construction project
12 approved under Title 20-A, section 15905-A until such time as the
14 unit's project is approved for funding by the State Board of
Education. When the unit's project receives final funding
approval from the State Board of Education, the sum total of
principal and interest costs paid from local funds without State
participation must be included in the unit's debt service costs
for state subsidy purposes under Title 20-A, section 15603,
subsection 8.

16 **2. Rules.** The State Board of Education shall adopt or
18 amend rules necessary to carry out the purposes of this section.
Rules adopted pursuant to this section are routine technical
rules as defined in Title 5, chapter 375, subchapter II-A.

20
22 **SUMMARY**

24 This bill requires that a school administrative unit that
26 was authorized to issue securities for a nonstate-funded school
construction project must receive credit for the sum total of
28 principal and interest costs paid from local funds without state
participation at such time as the unit's project is approved for
30 funding by the State Board of Education. Under this bill, the
school administrative unit is authorized to include principal and
32 interest costs paid from local funds in the unit's debt service
costs for state subsidy purposes. The bill also authorizes the
State Board of Education to adopt rules to carry out this purpose.