

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 842

H.P. 619

House of Representatives, February 20, 2003

An Act Relating to Portable Classrooms for Certain Cases

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MILLS of Farmington.
Cosponsored by Representatives: FINCH of Fairfield, GAGNE-FRIEL of Buckfield,
SAVIELLO of Wilton, Senators: President DAGGETT of Kennebec, WOODCOCK of
Franklin.

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

4 **Sec. 1. 20-A MRSA §15603, sub-§8, ¶B,** as amended by PL 1997,
c. 787, §6, is further amended to read:

6 B. Lease costs for school buildings when the leases,
8 including leases under which the school administrative unit
may apply the lease payments to the purchase of portable,
10 temporary classroom space beginning January 1, 1988, have
been approved by the commissioner for the year prior to the
12 year of allocation. Beginning July 1, 1998 lease cost
includes:

14 (1) Administrative space. A school administrative
unit may lease administrative space with state support
16 until July 1, 2003. A school administrative unit
engaged in a lease-purchase agreement for
18 administrative space is eligible for state support
until July 1, 2008;

20 (2) Temporary interim nonadministrative space.

22 (a) A school administrative unit with
24 state-approved need for nonadministrative space
may lease temporary interim space, with state
26 support, for a maximum of 5 years. A school
administrative unit may appeal to the board if
28 this division presents an undue burden. The
board's decision is final.

30 (b) A school administrative unit engaged in a
32 lease-purchase agreement for temporary interim
nonadministrative space is eligible for state
34 support for a maximum of 10 years, except that if
36 the school administrative unit has a major capital
38 improvement application on file with the
40 Department of Education and is not rated high
42 enough by the department using the department's
44 rating scale compared to other school
administrative units to obtain funding to correct
problems with its facilities, the school
administrative unit is eligible for state support
until it obtains funding to correct problems with
its facilities; and

46 (3) Permanent small nonadministrative space that
48 replaces or is converted from existing approved leased
portable space. The existing leased portable space
will be eligible for state support until July 1, 2003.
50 Once an existing leased portable space has been

2 converted into a permanent nonadministrative space
3 through an approved lease-purchase agreement, such
4 space is eligible for state support for a maximum of 10
5 years.

6 The Department of Education shall adopt rules necessary to
7 implement this paragraph. Rules adopted by the Department
8 of Education to implement this paragraph are major
9 substantive rules pursuant to Title 5, chapter 375,
10 subchapter II-A 2-A;

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SUMMARY

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15 This bill provides that a school administrative unit engaged
16 in a lease-purchase agreement for temporary interim
17 nonadministrative space is eligible for state support beyond the
18 10-year limit if the school administrative unit has a major
19 capital improvement application on file with the Department of
20 Education and is not rated high enough by the department using
21 the department's rating scale compared to other school
22 administrative units to obtain funding to correct problems with
23 its facilities. The school administrative unit is eligible for
24 state support until it obtains funding to correct problems with
its facilities.