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Legislative Document

No. 1484

S.P. 490

In Senate, March 31, 2003

An Act To Amend the School Construction Program

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

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator BRENNAN of Cumberland. Cosponsored by Senators: BROMLEY of Cumberland, STRIMLING of Cumberland, Representative: CUMMINGS of Portland.

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

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

6 Purchase or cost of construction of portable, temporary Ε. classroom space as approved by the commissioner beginning 8 January 1, For the purposes of this section, 1988. "portable, classroom space" temporary means a project 10 consisting of one or more mobile or modular buildings that are at least partially constructed off site and are designed 12 to be moved to other sites with a minimum of disassembly and "Portable, temporary classroom space" includes, reassembly. 14 but is not limited to, space for regular classrooms, small group instruction, libraries, clinics and guidance and principal 16 administrative office space, including and superintendent offices. The department shall adopt rules 18 for approving the purchase, construction or lease-purchase of portable temporary classroom space, and for determining the amount includable for subsidy purposes. Lease-purchase 20 Approved agreements may not exceed a term of 10 years. 22 costs are those for the year prior to the year of The department shall adopt rules necessary to allocation. 24 implement this paragraph. Rules adopted by the department to implement this paragraph are major substantive rules 26 pursuant to Title 5, chapter 375, subchapter II-A 2-A; and

Sec. 2. 20-A MRSA §15603, sub-§8, ¶F, as amended by PL 1999, c. 81, §4, is further amended to read:

Beginning in school year 2002-03, 1/5 of the aggregate F. amount of the approved leases defined in paragraph B and an 32 additional 1/5 for each year thereafter may not be used to determine the debt service millage limit calculated under 34 section 15611, subsection 1, paragraph A. The local share for the 1/5 of the aggregate amount of the approved leases 36 defined in paragraph B and an additional 1/5 for each year 38 thereafter must be calculated as the same percentage determined under section 15609, subsection 1, paragraph A. The department shall adopt rules necessary to implement this 40 Rules adopted by the department to implement paragraph. 42 this paragraph are major substantive rules pursuant to Title 5, chapter 375, subchapter II-A+ 2-A; and

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Sec. 3. 20-A MRSA §15603, sub-§8, ¶G is enacted to read:

G. Beginning in school year 2003-04 and notwithstanding
 48 chapters 606, 606-A and 609, the principal and interest costs for each major capital project in accordance with this
 50 paragraph:

4 projects, 100% of the principal and interest costs for 6 the first approved major capital project and 85% of th 6 principal and interest costs for each additiona 8 (2) For a school administrative unit engage 10 simultaneously in an approved major capital project and 12 in accordance with section 15905-A, 100% of th 14 capital project and 50% of the principal and interest costs for the approved major capital project and 50% of the principal and interest costs for the nonstate funded project only if th 16 school administrative unit applied to the state boar 17 for major capital project approval and the project 18 application involved received a rating in the top 50 18 application involved received a rating in the top 50 18 application involved received a rating in the top 50 18 application involved received a rating in the top 50 19 on the major capital project priority list. 20 The department shall amend or adopt rules necessary t 19 implement this paragraph. Rules adopted by the departmen to implement this paragraph are routine technical rule pursuant to Title 5, chapter 375, subchapter 2-A. 26 Sec. 4. 20-A MRSA §15611, sub-§1, ¶A, as amended by PL 1993 c. 410,	2	(1) For a school administrative unit engaged
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purpose aid for local schools program. The bill amends provisions of the school construction program and the so-called debt service "circuit breaker" program in the following ways:

It increases the millage limit established for the debt
 service circuit breaker from 45% to 100%;

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8 2. It provides that, beginning in school year 2003-04, a school administrative unit engaged simultaneously in 2 or more
10 approved major capital projects is eligible to include the principal and interest costs for each major capital project in
12 the determination of the debt service millage limit;

14 It provides that, beginning in school year 2003-04, a 3. school administrative unit engaged simultaneously in an approved 16 major capital project and a nonstate funded project is eligible for state support for 100% of the principal and interest costs 18 for the approved major capital project and for 50% of the principal and interest costs for the nonstate funded project if the project was approved by the commissioner after the school 20 administrative unit applied to the state board for major capital project approval and the project application involved received a 22 rating in the top 50% on the major capital project priority list; 24 and

4. It directs the Department of Education and the State
 Board of Education to amend or adopt rules necessary to implement
 the changes to the debt service "circuit breaker" program.