

MAINE STATE LEGISLATURE

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Date: 4/25/06

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MINORITY

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Education and Cultural Affairs

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

7

122ND LEGISLATURE

8

SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1505, L.D. 2113, Bill, "An Act To Extend the Alternative Delivery Methods Pilot Program for Certain School Construction Projects"

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Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

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'Sec. 1. P&SL 1999, c. 79, §9, last ¶, as enacted by P&SL 2001, c. 54, §2, is amended to read:

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The 22 projects described in this section must be scheduled for completion by 2005, the intent of this law section being the creation of a 5-year pilot or study program.

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Sec. 2. P&SL 1999, c. 79, §9-A is enacted to read:

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Sec. 9-A. Additional eligible projects. After May 1, 2006, no more than 10 projects may be approved under the provisions of this section. A school administrative unit seeking to use an alternative delivery method for a school construction project subject to approval under section 11 of this Act may employ any one of the following methods in undertaking a state-funded or a locally funded school construction project that has a minimum total project cost of \$2,500,000 and has an executed contract between the school administrative unit and the project designer dated prior to August 1, 2009:

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- 1. The construction-manager-advisor method;
- 2. The design-build method; and
- 3. The construction-manager-at-risk method.

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Sec. 3. P&SL 1999, c. 79, §12, 2nd ¶, as enacted by P&SL 2001, c. 54, §3, is amended to read:

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The Commissioner of Education and the Commissioner of Administrative and Financial Services shall establish an assessment team to assess the 5-year pilot program established under this Act. The assessment team evaluation must be conducted as follows.

COMMITTEE AMENDMENT

note

COMMITTEE AMENDMENT "A" to H.P. 1505, L.D. 2113

1 **Sec. 4. P&SL 1999, c. 79, §12, sub-§3, first ¶**, as enacted by P&SL 2001, c. 54,
2 §3, is amended to read:

3 3. In analyzing the relative merits of the traditional method and the alternative
4 methods employed for school construction under this ~~5-year~~ pilot program, the
5 assessment team shall consider the following factors:

6 **Sec. 5. P&SL 1999, c. 79, §12, sub-§5** is enacted to read:

7 5. The assessment team must be reconvened no later than July 1, 2008 and shall
8 report the findings and recommendations from its assessment, including any
9 recommended legislation, to the joint standing committee of the Legislature having
10 jurisdiction over education and cultural affairs no later than December 12, 2008. The joint
11 standing committee of the Legislature having jurisdiction over education and cultural
12 affairs may report out a bill to the First Regular Session of the 124th Legislature to
13 implement the recommendations of the assessment team.

14 **Sec. 6. Retroactivity.** This Act applies retroactively to May 1, 2006.'

SUMMARY

16 This amendment is the minority report of the Joint Standing Committee on Education
17 and Cultural Affairs. The amendment is reported out by the Joint Standing Committee on
18 Education and Cultural Affairs pursuant to Private and Special Law 2001, chapter 54,
19 section 3. The amendment extends the pilot program for using alternative delivery
20 methods for school construction by authorizing an additional 10 school construction
21 projects, but permits both state-funded and locally funded school construction projects to
22 be approved under this 3-year extension to the pilot program. The additional projects
23 must have a minimum total project cost of \$2,500,000 and must have an executed
24 contract between the school administrative unit and the project designer dated prior to
25 August 1, 2009.

26 Like the bill, the amendment also directs the assessment team to review these
27 additional projects and report its findings and recommendations on the pilot project no
28 later than December 12, 2008 to the joint standing committee of the Legislature having
29 jurisdiction over education and cultural affairs. The joint standing committee of the
30 Legislature having jurisdiction over education and cultural affairs may report out a bill to
31 the First Regular Session of the 124th Legislature to implement the recommendations of
32 the assessment team.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



122nd MAINE LEGISLATURE

LD 2113

LR 3281(02)

An Act to Extend the Alternative Delivery Methods Pilot Program for Certain School Construction Projects

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Minority Report

Fiscal Note

Potential current biennium cost increase - General Fund

Fiscal Detail and Notes

This legislation extends the pilot program for using alternative delivery methods for school construction projects and authorizes 10 additional projects to be funded with both state and local funds. The net impact of these alternative methods on the cost and the timing of the completion of these eligible projects as well as school construction costs reimbursed through the General Purpose Aid for Local Schools program can not be determined at this time.

Additional costs to the Department of Administrative and Financial Services, Bureau of General Services, the Department of Education and the State Board of Education to serve on the assessment team can be absorbed within existing budgeted resources.