

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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AS PASSED BY THE
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1965

liquor manufactured or bottled in this State, be above the tax rate in effect on January 1, 1965.'

Sec. 2. Limitation. This Act shall remain in effect until June 30, 1966.

Effective September 3, 1965

Chapter 439

AN ACT Relating to State Retirement Benefits for Certain Teachers and Increasing Pensions for Certain Retired School Superintendents.

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

Sec. 1. R. S., T. 5, § 1121, sub-§ 2, ¶ G, additional. Subsection 2 of section 1121 of Title 5 of the Revised Statutes is amended by adding a new paragraph G to read as follows:

'G. Paragraph C shall apply to all superintendents employed in any public school who have been retired under an order issued by the Governor and Council and are now receiving benefits, providing such benefits are less than those authorized by said paragraph C.'

Sec. 2. R. S., T. 5, § 1121, sub-§ 5, amended. The first sentence of subsection 5 of section 1121 of Title 5 of the Revised Statutes is amended to read as follows:

Any teacher who began to teach in the public schools of Maine prior to July 1, 1947 and has attained 60 years of age shall, upon proper application and verification of at least 15 years of such teaching service, be granted a minimum monthly benefit of ~~\$25~~ \$40.

Sec. 3. Appropriation. There is appropriated from the General Fund to the Maine State Retirement System the sum of \$31,250 for the fiscal year ending June 30, 1966 and the sum of \$37,500 for the fiscal year ending June 30, 1967 to carry out the purposes of this Act.

Sec. 4. Effective date. The minimum amount provided by this Act shall become effective on the first day of the month following the effective date of this Act and proper adjustments in benefits already being paid shall be made to those persons affected on their first monthly pension paid subsequent to said effective date.

Effective September 3, 1965

Chapter 440

AN ACT Relating to Establishment and Operation of Regional Technical and Vocational Centers.

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

Sec. 1. R. S., T. 20, § 57, amended. Section 57 of Title 20 of the Revised Statutes is amended to read as follows:

‘§ 57. Establishment of vocational and technical schools

In addition to its duties connected with vocational education and vocational rehabilitation, the board (of education) shall have authority to establish, maintain and operate state technical and vocational institutes to promote specialized training for ~~returned veterans of World War II and other~~ persons who give evidence of special aptitude or need and who desire specialized training designed specifically to train for service in trade, industry or commerce.’

Sec. 2. R. S., T. 20, § 1291, amended. The first paragraph of section 1291 of Title 20 of the Revised Statutes is amended by adding at the end, 2 new sentences, as follows:

‘Any youth whose parents, or the person having custody, maintains a home in any administrative unit, who is entitled to free secondary education, and who is qualified for admission to a regional technical and vocational center according to the standards set by those having charge thereof for all its students, including those resident in the unit maintaining and operating the center, may elect to attend any approved regional technical and vocational center within the State to which he may gain admission, for the purpose of pursuing a technical and vocational course not offered by, or contracted for by, the administrative unit in which he resides with parent or person having custody or by a community school district of which the administrative unit where he resides is a member. If any approved regional technical and vocational center serving the area in which he resides, as defined in section 2356-A, offers the desired course he may attend only the regional technical and vocational center serving his area.’

Sec. 3. R. S., T. 20, §§ 2356-A - 2356-H, additional. Title 20 of the Revised Statutes is amended by adding 8 new sections, to be numbered 2356-A to 2356-H, to read as follows:

‘§ 2356-A. Regional technical and vocational centers authorized

In addition to those activities authorized by section 1285, any administrative unit may offer a program of technical and vocational education which may consist of programs at the secondary levels through grade 12, programs at the post-secondary levels of grades 13 and 14, and part-time or evening programs for out-of-school youth and adults, any of which must meet all of the following requirements:

1. **Regional center.** It shall be a regional center for vocational or technical education.
2. **Approval of State Board of Education.** It shall be established, maintained and operated only in accordance with a plan approved by the State Board of Education as to educational need, scope of program to be offered, location and area to be served.
3. **Programs.** It shall provide programs of education and training in trade, industrial, agricultural, business, distributive, technical and service occupations to persons in secondary school, for persons who have graduated from a secondary school or for qualified persons over 16 years of age who have left school prior to graduation from a secondary school.

§ 2356-B. State aid

When any administrative unit has constructed, subsequent to the effective date of this Act, an approved facility to be used as a regional technical and vocational center according to an approved plan as provided in section 2356-A, and has adequately equipped it, for the conduct of not less than 5 approved full-time courses of technical or vocational education, exclusive of, or in addition to, part-time cooperative training programs, and shall maintain and operate a regional technical and vocational center therein, or shall maintain and operate such a regional technical and vocational center in a facility already available which is approved by the State Board of Education for the maintenance and operation of such a center, the Commissioner of Education shall make the following grants from any funds appropriated for these purposes, in the apportionment of which special funds which are or may become available to the State Board of Education for distribution for these purposes from federal grants or from other sources may be used in part payment of, but shall not be in addition to, grants authorized by this section:

1. Grants. Seventy-five percent of the cost of constructing and equipping, subsequent to the effective date of this Act, a building or buildings to be used for the maintenance and operation of a regional technical and vocational center which is approved in accordance with section 2356-A.

As used in this section, cost of construction shall consist of the same items as are eligible for construction assistance to School Administrative Districts in accordance with section 3518 and the grants provided in this section shall be paid at such times and in such installments as are provided for in section 3518. Grants for construction assistance provided by this section, including grants for equipping or for the completing of the equipping of a facility already available, shall be in lieu of any construction assistance for the same facility made or authorized under section 3518 and shall be made only on the basis of information available in the office of the commissioner on November 1st of each year covering expenditures made by the administrative unit in its preceding fiscal year as reported by its superintendent of schools to the commissioner on forms which he shall provide for the purpose.

Notwithstanding the foregoing provisions, no assistance for construction shall be paid until after the superintendent of schools of the administrative unit applying therefor shall certify to the commissioner, on forms provided by him that the building has been completed in accordance with the requirements of section 3623 and that the building will be used forthwith for the establishment, maintenance and operation of a regional technical and vocational center which, prior to the commencement of construction, has been approved in accordance with section 2356-A. Whenever such a certificate has been filed, the commissioner, at the next annual distribution of assistance under this section, shall pay such grants as may be payable on the basis of expenditures made by the administrative unit in its preceding fiscal year together with such grants, covering eligible expenditures on the building made in previous fiscal years, as would have been payable to the unit except for the prohibition imposed by this section against payment of construction assistance until after the completion of the building.

Any administrative unit which has received approval of a plan for a regional technical and vocational center and thereafter receives assistance under this section in the construction and equipping, or in the equipping alone, of a facility for the maintenance and operation of a regional technical and voca-

tional center shall maintain and operate such regional center continuously for a period of not less than 10 years from the date of the first grant of assistance for such construction and equipping unless the approved plan for the maintenance and operation of the center has been revoked by the State Board of Education within that time. If, for reasons beyond the control of the administrative unit receiving construction assistance, the unit is unable to fulfill its requirement that the center be operated for such period of 10 years, the State Board of Education is authorized to waive this requirement or to modify it to such extent as in its judgment the circumstances warrant. In the event such administrative unit fails to maintain and operate the facility as a regional technical and vocational center for at least the prescribed 10-year period the amounts of any grants of assistance on construction and for equipping the center which previously have been paid to the administrative unit shall be recovered by deducting the amounts so paid from any apportionments of educational aid then or thereafter payable to the unit. If the amount to be recovered is of such size that deduction thereof in any year or years from other grants of educational aid would have, in the judgment of the State Board of Education, an adverse effect upon the public elementary and secondary program of instruction offered by the administrative unit, the State Board of Education is authorized to approve such a schedule of periodic deductions from apportionments of educational aid as will permit the recovery of the construction and equipping assistance grants without prejudice to the public elementary and secondary program offered by the unit. In the event that such deductions would adversely affect any payments due the Maine School Building Authority then such deductions shall be adjusted or deferred until they can be made without such adverse effect.

2. Costs of instruction. Two-thirds of the cost of instruction in approved technical and vocational classes maintained on the secondary level through grade 12 and 90% of the costs of instruction for approved part-time and evening classes for out-of-school youth and adults. Costs of instruction for technical and vocational classes on the secondary school level shall be construed to mean the expenditures chargeable to such classes made for teachers' salaries, fuel, janitorial services, textbooks, reference books, school supplies for desk, laboratory and shop use, public utility services, replacement of instructional equipment, fire insurance and compensation for director and his assistants for the technical and vocational center.

Costs of instruction for part-time and evening classes shall be limited to the costs of instructors' and supervisors' salaries, janitor services, public utility services, textbooks, if furnished free to students, reference books and consumable supplies for classroom, shop or laboratory use, but such costs shall be reduced by any receipts from tuition charges for persons enrolled, whether residents of the unit maintaining and operating the center or of other administrative units and whether or not these tuition charges are paid by the student personally or by the administrative unit where he resides.

§ 2356-C. Tuition charges to be paid by sending administrative unit or community school district; legal rate; time to be paid; method of settlement of unpaid tuition charges

Any administrative unit operating an approved regional technical and vocational center may charge tuition for students attending the center in the secondary grades who are residents of other administrative units in the area served by the center or who are otherwise eligible to attend under section 1291. Such tuition charges shall be paid by the superintending school committee or board of

school directors of the sending administrative unit or by the school committee of a secondary community school district of which the sending unit is a member. Tuition charges billed to sending administrative units or to secondary community school districts shall be due at such times and the same penalties for nonpayment of tuition charges shall apply as are provided under section 1292 for the tuition charges for regular secondary education.

The tuition charge per student is to be determined as follows: For part-time day students enrolled in the technical or vocational subject areas only, the tuition charge per student will be $\frac{1}{3}$ of the per pupil cost of instruction in the regional technical and vocational center. The per pupil cost is determined by adding the amounts paid for teachers' salaries, fuel, janitorial services, textbooks, reference books, school supplies for desk and laboratory use, public utility services, replacement of instructional equipment, fire insurance and compensation for the director of vocational education and his assistants, and dividing this sum by the average daily membership of all regularly enrolled students in the technical and vocational education center. When the cost of fuel, janitorial services, public utility services or insurance for the technical and vocational education facilities cannot be separated from similar costs for other facilities, the cost of such items for the center will be prorated on the basis of the square footage of floor space in the technical and vocational education section or sections in relation to the total floor space to which such expenditures apply.

For full-time students enrolled in the center, the tuition charge shall be $\frac{1}{3}$ the per pupil cost of instruction in the regional technical and vocational education center determined as above, plus $\frac{1}{2}$ the average cost per pupil determined in accordance with section 1292 for the tuition charges for regular secondary education and subject to the limitations of section 1291.

§ 2356-D. Tuition charges paid by an administrative unit credited on foundation program allowance

Any administrative unit which is required to pay and has paid, or which is a member of a secondary community school district which is required to pay and has paid, tuition charges to another unit for technical and vocational classes through grade 12 in an approved regional technical and vocational center serving the area of which the paying unit is a part shall receive in its foundation program allowance computed under section 3722 a credit for 110% of the tuition so paid.

§ 2356-E. Operation of vocational and technical courses on grade 13 and 14 levels; tuition for such courses charged to students enrolled

Vocational and technical courses on grade 13 and 14 levels may be operated in regional technical and vocational centers when approved by the State Board of Education and, when so operated, tuition charges for these courses at rates approved by the State Board of Education may be charged directly to the students enrolled.

§ 2356-F. Persons entitled to attend regional technical and vocational centers

Any person entitled to receive free public education in the secondary grades, any person seeking to attend full-time programs in grade levels 13 and 14, where offered, and any adult or out-of-school youth seeking to attend part-time or evening programs, where offered, whether such courses are free or are

subject to payment of tuition charges either by the prospective student or by the administrative unit where he resides, if such unit is authorized to pay them in accordance with section 2356-C, may attend any regional technical and vocational center established under sections 2356-A to 2356-G which serves his area, as defined in section 2356-A, provided that those in charge of the regional center determine, by the same standards applying in the case of all students for admission to the programs, including those students resident in the administrative unit maintaining and operating the center, that he is qualified to profit by the instruction and that the school can accommodate him.

§ 2356-G. Local director of technical and vocational education required

Whenever an application for approval of a regional technical and vocational center is made to the State Board of Education as is provided in section 2356-A, the administrative unit making such an application shall include in its plan for the establishment, maintenance and operation of such proposed center, provision for the employment on the staff of the center of a local director of technical and vocational education who shall meet such qualifications as may be prescribed by the State Board of Education for all such positions, and the unit shall employ such a director as a condition of continued approval of the center. The director shall be responsible to the appropriate administrative officers of the administrative school unit operating the center.

§ 2356-H. Department of Education to make biennial estimates of appropriations required; future appropriations authorized

Biennially, preceding the convening of the regular session of the Legislature, the Department of Education shall estimate the amounts necessary to carry out the purposes of sections 2356-A to 2356-F for the biennium next following the convening of the regular session of the Legislature and it is authorized to and shall include in its requests for appropriations from the General Fund for presentation to the Legislature such amounts as it shall estimate to be necessary to carry out the purposes of such sections.

Sec. 4. Appropriation. In order to carry out the purposes of this Act, there is appropriated out of any moneys in the General Fund not otherwise appropriated in the sum of \$210,000 for the fiscal year ending June 30, 1967. The breakdown shall be as follows :

Department	1965-66	1966-67
EDUCATION		
All Other	—	\$210,000

Effective September 3, 1965

Chapter 441

AN ACT Creating the Office of State Archivist.

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

Sec. 1. R. S., T. 27, c. 10, additional. Title 27 of the Revised Statutes is amended by adding a new chapter 10, to read as follows :