

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

1. Officer devoting substantial time to activities other than solicitation or negotiation of insurance contracts. Any officer, employee or secretary of any such society or of any subordinate lodge or branch thereof who devotes substantially all of his time to activities other than the solicitation or negotiation of insurance contracts and who receives no commission or other compensation directly dependent upon the number or amount of contracts solicited or negotiated;

2. Agent devoting less than 50% of time to solicitation and procurement of insurance contracts. Any agent or representative of a society who devotes less than 50% of his time to the solicitation and procurement of insurance contracts for such society. Any person, who in the preceding calendar year has solicited and procured life insurance in excess of \$200,000, face amount, or, in the case of any other kind or kinds of insurance which the society may write, on the persons of more than 25 individuals and who has received or will receive a commission or other compensation therefor, shall be presumed to be devoting 50% of his time to the solicitation or procurement of insurance contracts for such society; or

3. Persons who do not effect insurance. Any member of a society who does not effect insurance and whose solicitation or negotiation is incidental to securing new members for his society and whose only remuneration consists of prizes in the form of merchandise or payments of a nominal amount.

Sec. 2. Effective date. This Act shall become effective on January 1, 1978.

Effective January 1, 1978

CHAPTER 447

AN ACT Relating to the Plans and Specifications Governing School Construction.

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

Sec. 1. 20 MRSA c. 502-A is enacted to read:

CHAPTER 502-A

PLANS AND SPECIFICATIONS FOR SCHOOL CONSTRUCTION

§ 3481. Inspection of facility; compliance

If it appears to the Commissioner of Educational and Cultural Services that an administrative unit has failed to maintain a school facility which protects the health, welfare and safety of the persons utilizing the facility, he may cause an inspection to be made and shall notify the administrative unit of his findings and of any changes to be made. It shall be the duty of the administrative unit to make the changes promptly. If it fails to make the changes, the administrative unit shall be liable to the penalties provided in section 854.

§ 3482. Governing body's approval; building committee

1. Governing body's approval. A plan for any school construction project voted for by an administrative unit shall be approved by the unit's governing board of directors, school committee or board of trustees.

2. Building committee selection. The legislative body of an administrative unit may at a regular or a specially called meeting determine the make up of a special building committee. If the legislative body does not establish a special building committee, then the unit's governing board of directors, school committee or board of trustees shall act as the building committee and may delegate the powers and duties of the building committee to the unit's superintendent.

§ 3483. Approval of plans and specifications; secondary school construction projects; final report; inspection and compliance

1. Approval of plans and specifications. The plans and specifications of a school construction project prepared by a building committee shall include suitable provision for the health, welfare and safety of the persons who will utilize the project. The plans and specifications shall be approved by the Department of Finance and Administration, Bureau of Public Improvements; Department of Educational and Cultural Services; Department of Human Services; Department of Public Safety and the Department of Environmental Protection before they may be accepted by the administrative unit's governing body. Any changes in the plans and specifications must be approved by the Department of Educational and Cultural Services.

2. Secondary school construction project limitations. The State Board of Education may approve a secondary school construction project designed to accommodate fewer than 300 pupils only if the board has determined that the school will have an adequate educational program. The board may not approve a secondary school construction project if fewer than 10 full-time teachers will be employed at the school, unless the location of the school would be geographically isolated.

3. Final report to commissioner. Upon the completion of the school construction project, the building committee shall certify to the commissioner that the school construction project has been completed in conformance with the approved plans and specifications.

4. Inspection and compliance. If it appears to the commissioner that the school construction project has not been completed in conformance with the approved plans and specifications, he may cause an inspection of the project to be made and shall notify the building committee of his findings and of any changes required to be made. It shall be the duty of the building committee to make the changes within a reasonable period of time. Failure to do so shall render the administrative unit liable to the penalties provided in section 854.

Sec. 2. 20 MRSA c. 507, as amended, is repealed.