

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**

**January 5, 1994 to April 14, 1994**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 14, 1994**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**J.S. McCarthy Company**  
**Augusta, Maine**  
**1993**

**2. Failure to approve.** If the voters do not approve a cost-sharing formula on or before March 15, 1995, the community school district shall sell any interest it has in any real property upon terms approved by the community school district committee and distribute the proceeds, after costs, and the balance of any funds to the member municipalities in proportion to each municipality's contribution; all personal property must be transferred to School Administrative District 28, and the community school district shall dissolve upon the distribution of the real property proceeds.

**3. Amendment to formula.** The cost-sharing formula may be amended pursuant to the Maine Revised Statutes, Title 20-A, section 1704.

**Sec. 24. First-year budget; initial organization and elections.** Notwithstanding any law or provision of this Act to the contrary, the community school district is organized upon the issuance of the certificate of organization by the Commissioner of Education. The school boards of the towns of Appleton, Hope and Lincolnville that are municipal members of the district and the Board of Directors of School Administrative District 28, acting as a committee of the whole, are responsible for preparing and approving a budget for the fiscal year beginning July 1, 1995, and preparing and submitting a budget to the voters as authorized by the Maine Revised Statutes, Title 20-A, section 1701 and as modified by the terms of section 11 of this Act, prior to June 1, 1996 for the fiscal year beginning July 1, 1996. The school district committee is responsible for preparing and submitting a budget to the voters in 1997 as authorized by Title 20-A, section 1701 and as modified by the terms of section 11 of this Act for the fiscal year beginning July 1, 1997 and for each year after that fiscal year. The combined boards have the authority to act as the governing body of the district and as the school district committee until July 1, 1995 including the authority to submit an application to the State Board of Education for school construction approval. The first election of the school district committee representatives from the towns of Appleton, Hope and Lincolnville that are municipal members of the district must be conducted in the spring of 1995 at the same time as the election of municipal officers and the term of office begins July 1, 1995.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 12, 1994.

---

## CHAPTER 88

S.P. 700 - L.D. 1898

### An Act to Authorize a General Fund Bond Issue in the Amount of \$2,000,000 for Safety Improvements at the Baxter School for the Deaf

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine for safety improvements at the Baxter School for the Deaf.

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

**Sec. 1. Authorization of bonds to provide for funds for safety improvements at the Baxter School for the Deaf.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$2,000,000 to raise funds for safety improvements at the Baxter School for the Deaf as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 5 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**Sec. 2. Records of bonds issued to be kept by the Treasurer of State.** The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

**Sec. 5. Disbursement of bond proceeds.**

The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Department of Education.

**Sec. 6. Allocations from General Fund bond issue.** The proceeds of the sale of bonds must be expended as designated in the following schedule.

1994-95

**EDUCATION,  
DEPARTMENT OF**

Safety improvements at the Baxter School for the Deaf	\$2,000,000
-------------------------------------------------------	-------------

**Sec. 7. Contingent upon ratification of bond issue.** Sections 1 to 6 do not become effective unless the people of the State have ratified the issuance of bonds as set forth in this Act.

**Sec. 8. Appropriation balances at year end.** At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

**Sec. 9. Bonds authorized but not issued.** Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

**Sec. 10. Referendum for ratification; submission at general election; form of question; effective date.** This Act must be submitted to the legal voters of the State of Maine at the next general election in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a general election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$2,000,000 bond issue for safety improvements at the Baxter School for the Deaf?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and

declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Effective pending referendum.

**CHAPTER 89**

H.P. 1212 - L.D. 1631

**An Act Concerning Level I and Level II Educational Technicians**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. P&SL 1991, c. 26, §3** is enacted to read:

**Sec. 3. Professional qualifications of teacher aides and teacher assistants not recommended for promotion due to misinterpretation of a foreign transcript.** Any person employed in a position known as a teacher aide or teacher assistant position prior to September 1, 1991, whose job function at the time was that of a level II or level III educational technician as described in State Board Rule 115, Part I, section 14.2 (a) or 14.3 (a), and who was not recommended to be upgraded to the higher classification due to the misinterpretation of a transcript from a foreign country, need not meet the educational preparation standards for those positions set forth in board rule sections 14.2 (b) and 14.3 (b) and need not meet the September 1, 1991 deadline for reclassification.

See title page for effective date.