

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**SECOND SPECIAL SESSION**  
**July 29, 2005**

**SECOND REGULAR SESSION**  
**January 4, 2006 to May 24, 2006**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 28, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 23, 2006**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2006**

**CHAPTER 52**

**H.P. 1505 - L.D. 2113**

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

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

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

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.

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

**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 school construction project that is locally funded, 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:

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

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

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.

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

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

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

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

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

See title page for effective date.

**CHAPTER 53**

**S.P. 81 - L.D. 228**

**An Act To Provide Funding for the Downeast Institute for Applied Marine Research and Education**

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

**Sec. 1. Appropriations and allocations.** The following appropriations and allocations are made.

**DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION**

**Downeast Institute for Applied Marine Research and Education**

Initiative: Provides ongoing funds for the Downeast Institute for Applied Marine Research and Education.

<b>GENERAL FUND</b>	<b>2005-06</b>	<b>2006-07</b>
All Other	\$0	\$15,000
<b>GENERAL FUND TOTAL</b>	\$0	\$15,000

See title page for effective date.

**CHAPTER 54**

**S.P. 746 - L.D. 1948**

**An Act To Save the Marine Technology Center and Strengthen Maine's Boatbuilding Workforce**

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

**Sec. 1. Partnerships.** The Department of Economic and Community Development shall facilitate the formation of partnerships with interested