

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FOURTEEN

—
S.P. 720 - L.D. 1805

**An Act To Implement the Recommendations of the Review Committee
Established To Examine the Impact of Unfunded Education Mandates and
Other Regulatory Burdens**

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

Sec. 1. 20-A MRSA §6, as enacted by PL 1989, c. 889, §2, is repealed.

Sec. 2. 20-A MRSA §254, sub-§7, as enacted by PL 1983, c. 739, is repealed.

Sec. 3. 20-A MRSA §254, sub-§§8 and 9, as amended by PL 1995, c. 625, Pt. A, §21, are repealed.

Sec. 4. 20-A MRSA §254, sub-§10, as enacted by PL 1989, c. 889, §3, is repealed.

Sec. 5. 20-A MRSA §256, sub-§7, as enacted by PL 1989, c. 889, §5, is repealed.

Sec. 6. 20-A MRSA c. 11, as amended, is repealed.

Sec. 7. 20-A MRSA §4001, sub-§7, as amended by PL 1999, c. 81, §3, is further amended to read:

7. Maintenance and capital improvement program. A school administrative unit, including the unorganized territories, shall establish and maintain a maintenance and capital improvement program for all school facilities, ~~utilizing a maintenance template and software provided by the department and shall annually commit resources to that program pursuant to established minimum standards. The department and the Department of Administrative and Financial Services, Bureau of General Services shall establish the minimum standards. The Department of Education and the Bureau of General Services shall adopt rules necessary to implement this subsection. Rules adopted by the Department of Education and the Bureau of General Services to implement this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter II A.~~

Sec. 8. 20-A MRSA §4502, sub-§4-A, as enacted by PL 1989, c. 889, §7, is amended to read:

4-A. Affirmative action plan. Each school administrative unit shall develop an affirmative action plan in accordance with Title 5, chapter 65 as part of the school approval process and update this plan annually as necessary. The affirmative action plan must include a description of the status of the unit's nondiscriminatory hiring practice provided in section 1001, subsection 13, and plans for in-service training programs on gender equity for teachers, administrators and school boards, ~~and a plan for meeting the 5-year goal established under section 254, subsection 9.~~ The unit shall submit any update of the plan annually to the commissioner.

Sec. 9. 20-A MRSA §4709, sub-§3, as enacted by PL 1991, c. 292, §1, is repealed.

Sec. 10. 20-A MRSA §4801, sub-§1, ¶E, as enacted by PL 1991, c. 622, Pt. DD, §2, is repealed.

Sec. 11. 20-A MRSA §5802-A, as enacted by PL 1989, c. 916, §1 and amended by PL 2003, c. 689, Pt. B, §6, is repealed.

Sec. 12. 20-A MRSA §5807, as enacted by PL 1981, c. 693, §§5 and 8, is repealed.

Sec. 13. 20-A MRSA §6103, sub-§3-B, as enacted by PL 2005, c. 519, Pt. I, §2, is repealed.

Sec. 14. 20-A MRSA §6209-A, as amended by PL 2007, c. 259, §6, is repealed.

Sec. 15. 20-A MRSA §13405, as enacted by PL 2005, c. 635, §5, is repealed.

Sec. 16. 20-A MRSA §15681, sub-§2-A, ¶A, as enacted by PL 2005, c. 635, §7, is repealed.

Sec. 17. 20-A MRSA §15905, sub-§6, as enacted by PL 1995, c. 632, §2, is amended to read:

6. Facility maintenance plan required. The state board shall require a school administrative unit applying for state funds for a school construction project to establish a facility maintenance plan for the projected life cycle of the proposed school building. ~~The department shall provide technical assistance to school administrative units in carrying out this section. Assistance must include, but is not limited to, the provision of a model facility maintenance plan and the provision of technical and other assessment information from the school facilities inventory under section 15917.~~

Sec. 18. 20-A MRSA §15918, as enacted by PL 1997, c. 787, §11, is repealed and the following enacted in its place:

§15918. Maintenance and capital improvement plan assistance

The department, within existing resources, shall support facility maintenance and capital planning training for school administrative units.

Sec. 19. Department rules. Rules adopted to implement the Maine Revised Statutes, Title 20-A, section 4001, subsection 7 and section 15918, which are repealed by this Act, related to the establishment of a school facilities maintenance template and software and the delivery of technical assistance to school administrative units to implement maintenance and capital improvement programs for school facilities are void and have no effect. Notwithstanding any other provision of law, amendments to the rules to remove these provisions are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.