



130th MAINE LEGISLATURE

LD 1935

LR 2602(01)

Resolve, Regarding Legislative Review of Portions of Chapter 60: New School Siting Approval, Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and Portions of Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units, Major Substantive Rules of the Department of Education, State Board of Education

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Rep. Brennan of Portland

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Preliminary Fiscal Impact Statement

Potential State Mandate - Unfunded

State Mandates

Required Activity

Amends Department of Education rule Chapter 125, rule Chapter 60 and rule Chapter 61 to require school administrative units to utilize the best-available practice national standards of the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) for inspection, maintenance, ventilation and filtration for all schools. To the extent that the newly defined standards require some schools to upgrade their existing systems or install new systems, expenditure of local revenue may be required.

Unit Affected

School

Local Cost

Significant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.