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Testimony of Rep. Allison Hepler in support of
LD 2170, An Act to Prioritize School Construction Projects for Schools Affected by Disasters
Before the Joint Committee on Education and Cultural Affairs

Good afternoon, Sen. Rafferty, Rep. Brennan and members of the Joint Standing Committee on Education and Cultural Affairs. I am Allison Hepler and I represent the towns of Arrowsic, Georgetown, Phippsburg, West Bath and Woolwich. I am here today to speak in support of **LD 2170, An Act to Prioritize School Construction Projects for Schools Affected by Disasters**.

The Dike Newell School in Bath, the home of 266 pre-K through grade two students, suffered a fire a couple of weeks before school ended in June 2022. The fire, caused by an arsonist who has now been convicted, destroyed about 60% of the school and seriously damaged the remaining building. Students finished out the school year by sharing Bath's other elementary school. In the fall, these students were moved into a portion of the old Morse High School, which had closed in 2021 and was sold by RSU 1 to the City of Bath. The Regional School Unit (RSU) 1 did a great job in securing a lease with the city and in making accommodations as needed to house students who are much younger – and smaller – than the high school students who used to inhabit this space. Sen. Vitelli and I also toured the space and I have a hard time imagining such young students being housed there for a number of years, especially given that RSU 1 doesn't own the space. There are other shortcomings, too. In addition to the age of the facility, the building has an inadequate heating system and the site is very close to a busy street, making the playground and the pick-up and drop-off sites potentially hazardous.

This is when I learned about the State Board of Education Rules for Major Capital School Construction Projects in Chapter 61, rules that defined an "Emergency Project." I also learned that such projects would be considered on a case-by-case basis "as deemed appropriate by the State Board."

I also learned about the devastating fire that occurred at the Dr. Levesque Elementary School in St. Agathe, displacing 140 first grade through sixth grade students; they have been relocated to modular buildings on the grounds of the high school. I think we can agree, in both of these cases, that the students are not housed in suitable facilities.

If there is a definition of emergency project in the rules in determining the school construction priority list, I would think, first, that the rebuilding of these two schools qualifies. Second, if there is an emergency project category, it should be used in juggling the construction list. This category exists for a reason.

LD 2170 addresses these two assertions. It clarifies that the state board “shall approve an emergency school construction project before a school construction project that is not an emergency school construction project.”

As the Chair of the Maine State Board of Education and School Construction Committee has stated, destructive school fires are, thankfully, rare. Prior to the Dr. Levesque fire in 2021, the most recent one was in 1996. Given that rarity, identifying a school as an emergency project and placing it at the front of the list would not seem to unduly affect other schools on the priority list.

This committee has far more experience than I do in juggling the demands of the state’s school construction ranking system. Furthermore, I am grateful to the Maine State Board of Education and School Construction Committee for its deliberations last summer, and for listening to us throughout this process. I am also grateful to the staff of RSU 1 and RSU 33 for their efforts to keep our students safe.

That said, I’m happy to answer questions as I can. Thank you.