

128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1756

H.P. 1209

House of Representatives, December 22, 2017

An Act To Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Clerk of the House on December 20, 2017. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative PIERCE of Falmouth. Cosponsored by Senator: BREEN of Cumberland.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- Whereas, there are unused school facilities at the Maine Educational Center for the
 Deaf and Hard of Hearing and the Governor Baxter School for the Deaf on Mackworth
 Island; and
- 6 **Whereas,** the Legislature finds that it would serve a public purpose to lease these 7 unused school facilities to the protection and advocacy agency for persons with 8 disabilities designated by the Governor, which provides services for deaf and 9 hard-of-hearing adults and children and other citizens of the State with disabilities; and
- Whereas, this legislation authorizes the Department of Administrative and Financial
 Services to enter into agreements to lease these unused school facilities consistent with
 state law regarding excess state property; and
- Whereas, this legislation needs to take effect in time to allow for the lease of the
 unused school facilities by May 1, 2018; and
- 15 Whereas, in the judgment of the Legislature, these facts create an emergency within 16 the meaning of the Constitution of Maine and require the following legislation as 17 immediately necessary for the preservation of the public peace, health and safety; now, 18 therefore,
- 19 Be it enacted by the People of the State of Maine as follows:
- 20 Sec. 1. 20-A MRSA §7407, sub-§12-B is enacted to read:

21 12-B. Lease of school property to State's protection and advocacy agency. The 22 Department of Administrative and Financial Services may enter into lease agreements in 23 accordance with state law and policy on the lease of state-owned facilities, including but 24 not limited to the provisions of Title 5, chapter 154, to lease school property to the 25 protection and advocacy agency for persons with disabilities designated pursuant to Title 26 5, section 19502. Any funds received pursuant to this subsection must first be applied in 27 accordance with Title 5, section 1784. Any excess revenue above the requirements of Title 5, section 1784 may be retained by the school to be applied to statutorily authorized 28 29 programs.

- 30 Emergency clause. In view of the emergency cited in the preamble, this
 31 legislation takes effect when approved.
- 32 SUMMARY
- This bill allows the Department of Administrative and Financial Services to enter into lease agreements to lease school property at the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf on Mackworth Island to the State's protection and advocacy agency for persons with disabilities.