

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND EIGHTEEN

—  
H.P. 1209 - L.D. 1756

**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**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, pursuant to the deed of gift from Governor Baxter, Mackworth Island was given to the State as trustee in trust for the benefit of the people of the State for state public purposes; 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

**Whereas**, the Legislature finds that it would serve a state public purpose to lease these unused school facilities to the protection and advocacy agency for persons with disabilities designated by the Governor, which provides services for deaf and 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

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 20-A MRSA §7407, sub-§6**, as amended by PL 2005, c. 600, §1, is further amended to read:

**6. Collection of fees.** The school board may charge service and rental fees for use of facilities of the school. Except as provided in ~~subsection~~ subsections 12-A and 12-B, any funds received for service and rental fees must be retained by the school.

**Sec. 2. 20-A MRSA §7407, sub-§12-B** is enacted to read:

**12-B. Lease of school property to State's protection and advocacy agency.** The Department of Administrative and Financial Services may enter into lease agreements in accordance with state law and policy on the lease of state-owned facilities, including but not limited to the provisions of Title 5, chapter 154, to lease school property to the protection and advocacy agency for persons with disabilities designated pursuant to Title 5, section 19502. Any funds received pursuant to this subsection must first be applied in 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 programs.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.