

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS**

JULY 1997

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 1338

An Act to Restructure Public Higher Education

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO BUCK	ONTP	

LD 1338 proposed to reorganize the governance structure of the University of Maine System. The bill proposed to accomplish the following:

1. It would have provided for the administration of central services by creating the Board of Review of the University of Maine System.
2. It would have transferred certain powers of governance from the University of Maine System to the institutions of public higher education within the University of Maine System by creating an individual governing board for each institution.
3. It would have created a nonprofit foundation to be known as the "Maine Higher Education Foundation" for the purpose of assuming care, control and the power to dispose of assets held by the University of Maine System on the effective date of this Act, including the power to make grants to institutions within the University of Maine System for financial aid, research, public service and other campus purposes.
4. It would have required the Education Coordinating Committee to conduct a study addressing the methods of financing for public higher education and possible alternatives to the current financial arrangement.

LD 1340

An Act to Establish a Public Education Assessment Advisory Commission

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS		

LD 1340 proposes to establish the Public Education Assessment Advisory Commission to oversee the continuing improvement to the system of learning results established pursuant to the Maine Revised Statutes, Title 20-A, section 6209 and the development of the statewide education assessment program and other state and local assessment mechanisms for implementing the learning results system. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1341

An Act to Improve Maine's School Construction Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING MCKEE	ONTP	

LD 1341 proposed to make the following changes to the laws governing school construction projects:

1. It would have repealed the provision, enacted in the 117th Legislature, that permits the Bureau of General Services to assess school administrative units the reasonable cost of services provided by the bureau of school construction projects.
2. It would have increased the maximum debt service limit for school construction projects in 1999 from \$69,000,000 to \$81,000,000 and in 2000 from \$70,000,000 to \$81,000,000.
3. It would have directed the Bureau of General Services to adopt rules to ensure that state and local suppliers are used; nonspecific bidding is required; the standard contract between the school and the architects includes a scale for maximum architect fees and a scale for architect errors and omissions insurance levels; and that all subcontractors work only under the architect's contracts.
4. It would have directed the Department of Education to develop a proposal to require that all school construction projects, movable equipment and technology be paid for by a combination of the state share percentage and the local share percentage for debt service costs.

LD 1353 An Act to Establish a Pilot School Choice Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS KIEFFER	ONTP	

LD 1353 proposed to require the Department of Education to establish by rule the pilot School Choice Program in elementary education in a minimum of one school administrative district or union. The program would allow a parent or guardian to transfer a child to a public school or an approved, nonsectarian private school of the parent's or guardian's choice. The bill also proposed to require the sending municipality as defined in the Maine Revised Statutes, Title 20-A, section 15652, to pay \$2,000 for each child to the receiving school for tuition assistance.

LD 1355 An Act to Fully Fund Local Education with Income and Sales Tax Revenues ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP	

LD 1355 proposed to provide General Fund appropriations to the Department of Education to fully fund the cost of education for students in kindergarten through grade 12. Reductions in funding for all other departments and agencies are proposed to fund these additional education costs. The Department of Education and the State Budget Officer are directed to submit any proposed legislation required to implement the provisions of this bill by January 16, 1998.