

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

July 2003

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is arranged alphabetically by committee name 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 PURSUANT TO HP 1212</i> | <i>Bills carried over to the 2nd 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>NOT PROPERLY BEFORE THE BODY</i> | <i>Ruled out of order by the presiding officers; bill died</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>P&S XXX</i> | <i>Chapter # of enacted Private & Special Law</i> |
| <i>PASSED</i> | <i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Education and Cultural Affairs

LD 828

**An Act To Phase In General Purpose Aid for Local Schools
Funding Losses Over Time**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GLYNN BROMLEY | ONTP | |

LD 828 proposed to provide for an ongoing "maximum loss" provision for the general purpose aid for local schools program. The bill proposed to require that, beginning in fiscal year 2003-04 and for each fiscal year thereafter, the Legislature provide each school administrative unit with at least 90% of the state share of subsidy that it received for the preceding fiscal year for operating costs, program costs excluding the state share of bus purchases and minimum subsidy.

LD 842

An Act Relating to Portable Classrooms for Certain Cases

PUBLIC 314

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLS J | OTP-AM | H-351 |

LD 842 proposed to provide that a school administrative unit engaged in a lease agreement for temporary interim nonadministrative space may be eligible for state support beyond the 5-year limit if the school unit has a major capital improvement application or a school revolving renovation fund application on file with the Department of Education and is not rated high enough by the Department of Education using the department's rating scale compared to other school units to obtain funding to correct problems with its facilities. Under this proposal, the school administrative unit would be eligible for state support until it obtained funding to correct problems with its facilities.

Committee Amendment "A" (H-351) proposed to strike and replace the bill. The amendment proposed to clarify that a school administrative unit engaged in a lease agreement for temporary interim nonadministrative space may be eligible for state support beyond the 5-year limit if the school administrative unit has a major capital improvement application or a school revolving renovation fund application on file with the Department of Education and is not rated high enough by the Department of Education using the department's rating scale compared to other school administrative units to obtain funding to correct problems with its facilities. The amendment also proposed to provide criteria that the State Board of Education must use when making a determination on a school administrative unit's appeal for relief from an undue burden presented by this statutory requirement.

Enacted Law Summary

Public Law 2003, chapter 314 provides that a school administrative unit engaged in a lease agreement for temporary interim nonadministrative space may be eligible for state support beyond the 5-year limit if the school unit has a major capital improvement application or a school revolving renovation fund application on file with the Department of Education and is not rated high enough by the Department of Education using the department's rating scale compared to other school units to obtain funding to correct problems with its facilities. The law also provides criteria that the State Board of Education must use when making a determination on a school unit's appeal for relief from an undue burden presented by this statutory requirement.