

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

*August 2005*

**Members:**

*Sen. Elizabeth H. Mitchell, Chair*

*Sen. Elizabeth M. Schneider*

*Sen. Karl W. Turner*

*Rep. Jacqueline R. Norton, Chair*

*Rep. Edward D. Finch*

*Rep. Elaine Makas*

*Rep. Emily Ann Cain*

*Rep. Connie Goldman*

*Rep. Barbara E. Merrill*

*Rep. Vaughn A. Stedman*

*Rep. Gerald M. Davis*

*Rep. Peter Edgecomb*

*Rep. Scott E. Lansley*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

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

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 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## Joint Standing Committee on Education and Cultural Affairs

legislator. The student would give an oral, written or electronic presentation on the process and the final disposition of the piece of legislation.

**LD 845**

**An Act Regarding Private Schools' Using Public Tuition Funds**

**ONTP**

Sponsor(s)  
MOODY

Committee Report  
ONTP

Amendments Adopted

LD 845 proposed requiring an opinion by the Attorney General that a private school does not provide a nonsectarian education before the Department of Education would be able to deny the private school public funds for tuition purposes.

**LD 856**

**An Act Allowing School Unions To Improve Efficiency**

**PUBLIC 130**

Sponsor(s)  
MERRILL  
DAMON

Committee Report  
OTP-AM

Amendments Adopted  
H-234

LD 856 proposed to allow a school union to be the fiscal agent for the schools in the union. This bill proposed to allow municipalities to turn over the school appropriation for schools directly to the school union if the towns in the school union agreed through a referendum or a town meeting vote. The school union would be authorized to hire personnel that are shared between different schools in the union, such as a school nurse.

**Committee Amendment "A" (H-234)** proposed to clarify that the superintendent of a school union may be designated as the treasurer of the school union and that the union committee could perform the function of fiscal agent of the school union if these designations were approved by a majority of the voters of each municipality within the school union. The amendment also proposed to require that the article that is placed before the voters in each municipality within the school union to approve these designations would specify the functions to be performed by the fiscal agent, would state that the agreement under which the union committee may perform the function of fiscal agent may not exceed a period of 3 years and would include a schedule for regular payment of the warrants approved in each municipality to the union committee. The agreement under which the union committee could perform the function of fiscal agent could also be renewed by the voters of each municipality within the school union in accordance with these same approval procedures.

### *Enacted law summary*

Public Law 2005, chapter 130 provides that the superintendent of a school union may be designated as the treasurer of the school union and that the union committee may perform the function of fiscal agent of the school union if these designations are approved by a majority of the voters of each municipality within the school union. The law also authorizes a school union to hire personnel that are shared between different schools in the union.