

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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Sen. Mary E. Small

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Maine State Legislature

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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:

- 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*
- 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 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 1545 **An Act to Amend the Laws Governing Correction of Student Education Records** **ONTP**

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

LD 1545 proposed to amend the Maine Revised Statutes, Title 20-A, section 4708 concerning the finality of a student's grade by requiring the teacher, upon request, to establish in a hearing the basis for the student's grade and that the teacher neither took any action nor failed to take any action that contributed to a reduction in the grade.

LD 1553 **Resolve, to Establish the Commission to Study the Restructuring of the University of Maine System** **ONTP**

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

LD 1553 proposed to establish the Commission to Study the Restructuring of the University of Maine System.

LD 1557 **An Act to Create Efficient and Effective Administration of the University of Maine System** **P & S 37**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E	OTP-AM	H-580

LD 1557 proposed to amend the Charter of the University of Maine System in several significant ways. The bill would replace the current Board of Trustees of the system with a Board of Regents and provide clearer guidance for the board in fulfilling its role as the central governing body of the system. The Board of Regents would be charged with providing sound financial management and stewardship of assets and would be directed to evaluate personnel and programs while bearing in mind the needs and priorities, both educational and economic of the people of the State. The Board of Regents would be structurally changed to require alumni members who represent each of the seven universities.

The bill further proposed to provide additional duties for the chancellor with a focus on eliminating duplication in the areas of planning, budget preparation and management oversight.

The bill would also establish boards of trustees for each of the seven universities that advocate for the universities, advise the president, raise funds and review recommendations made to the Board of Regents.

The bill would further require the Board of Regents to report to the Second Regular Session of the 118th Legislature concerning its review of programs and methods of distribution of state resources and a mechanism for using any savings that result from enactment of this bill to reduce tuition increases.

The bill also proposed to make a General Fund appropriation of \$1,000,000 to the University of Maine at Augusta to provide parity in student support.

Committee Amendment "A" (H-580) proposed to restore the Board of Trustees as the central governing body for the University of Maine System. This amendment further proposed to accomplish the following:

1. Direct the Governor to make every effort to appoint an alumnus of each of the seven university campuses to the Board of Trustees;
2. Establish two additional duties of the chancellor regarding the duplication of academic offerings with the State's private and public postsecondary institutions and the transfer of academic credits between all campuses of the University of Maine System;
3. Designate the campus boards as the "boards of visitors," authorize each campus president to nominate up to 20 board members subject to approval of the Board of Trustees, and permit board members to be reimbursed for travel and other expenses within the existing resources of the University of Maine System;
4. Direct the Board of Trustees to study methods in other states and make recommendations to create a more market-driven system; and
5. Remove the appropriation section from the bill.

This amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-647) proposed to replace the committee amendment. This amendment differs from the committee amendment in the following ways.

1. It would reinstate the Board of Regents established in the bill.
2. It would specify that the Board of Regents of the University of Maine System shall hire and evaluate the chancellor.
3. It would eliminate a specified duty of the chancellor to provide a centralized management oversight of services.
4. It would restore the separate 7-member boards of trustees of the seven universities that were proposed in the original bill and direct the individual boards to hire and evaluate the university president.

This amendment also proposed to add a fiscal note to the bill. The amendment was not adopted.

House Amendment "B" to Committee Amendment "A" (H-648) also proposed to replace the committee amendment, and differs from the committee amendment in the following ways.

1. It would reinstate the Board of Regents established in the bill.
2. It would specify that the Board of Regents of the University of Maine System shall hire and evaluate the chancellor.

3. It would specify that the Chancellor of the University of Maine System shall prepare the budget of the chancellor's office and coordinate and present to the Governor and the Legislature the budgets, appropriation requests and bond issues presented by the university presidents and the universities.
4. It would eliminate a specified duty of the chancellor to provide a centralized management oversight of services.
5. It would restore the separate seven-member boards of trustees of the seven universities that were proposed in the original bill and direct the individual boards to, prepare budgets and present them to the Board of Regents of the University of Maine System for coordination and presentation to the Governor and Legislature by the chancellor and the university president, and hire and evaluate the president of the particular university.

This amendment also proposed to add a fiscal note to the bill. The amendment was not adopted.

Enacted law summary

Private and Special Law 1997, chapter 37 amends the governance and coordination provisions in the Charter of the University of Maine System. The law accomplishes the following:

1. It directs the Governor to make every effort to appoint an alumnus of each of the seven university campuses to the Board of Trustees;
2. It establishes two additional duties of the chancellor regarding the duplication of academic offerings with the State's private and public postsecondary institutions and the transfer of academic credits between all campuses of the University of Maine System;
3. It establishes Boards of Visitors for each of the seven universities that shall advocate for the universities, advise the president, raise funds and review recommendations made to the Board of Trustees. Each campus president is authorized to nominate up to 20 board members subject to approval of the Board of Trustees. Board members may be reimbursed for travel and other expenses within the existing resources of the University of Maine System; and
4. It directs the Board of Trustees to study methods in other states and make recommendations to create a more market-driven system.

LD 1560 **Resolve, Directing the State Board of Education to Study Charter Schools and School Choice** **RESOLVE 62**

<u>Sponsor(s)</u> JENKINS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-317
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LD 1560 proposed to establish the Committee to Study the Development of the Charter School Initiative.

Committee Amendment "A" (S-317) proposed to replace the original resolve and would direct the State Board of Education to establish a committee to study charter schools and school choice initiatives in other states and jurisdictions. In conducting its study, the board's committee would meet at least four times and would report its findings and any recommended legislation to the Legislature by January 1, 1998.