

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
EDUCATION AND CULTURAL AFFAIRS

MAY 1998

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*Sen. Mary R. Cathcart*  
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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. 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 handled by the joint standing 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. 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](http://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:

*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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

2. It would reduce the amount allocated for scholarships to private institutions to \$500,000;
3. It would require a report to be provided to the Legislature on the effectiveness of the Maine First Scholars Program in December 1999;
4. It would extend to 24 months the time after graduation from high school or equivalent that the student is eligible for the Maine First Scholars Program;
5. It would clarify that the rules that the Finance Authority of Maine must adopt to prioritize available funds are routine technical rules;
6. It would further provide that students must maintain a 2.0 grade point average during the year for which they receive a grant under the Maine First Scholars Program. If a student does not achieve the 2.0 grade point average in the student's first semester or does not complete the semester, the student will not receive a Maine First Scholars Program grant for the second semester. If a student does not complete the first year or does not attain a minimum 2.0 grade point average for the first year, then that student must reimburse the Finance Authority of Maine for the full amount of the grant; and
7. It would also require that the University of Maine System dedicate any incremental increases of tuition revenue from students in the Maine First Scholars Program to provide scholarships for program participants.

Finally, the amendment proposed to add a fiscal note to the bill.

While this bill died in concurrence, two of the substantive provisions of this bill were enacted as part of the supplemental appropriations bill. The Maine Technical College System received a \$3,000,000 appropriation in fiscal year 1998-99 to provide funds for information technology, capital equipment and facility improvements (see Public Law 1997, chapter 643, part FF).

The Maine Student Incentive Scholarship Program received an additional \$4,000,000 appropriation in fiscal year 1998-99 (see Public Law 1997, chapter 643, part HH). The supplemental appropriations bill also increased the minimum amount of scholarships from \$500 to \$1,000 and eliminated the requirement that scholarships for students attending private postsecondary education institutions must be two times the amount of scholarships awarded to students attending public postsecondary education institutions.

**LD 2227**

**Resolve, Regarding Legislative Review of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a Major Substantive Rule of the Department of Education**

**RESOLVE 106  
EMERGENCY**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted  
H-978

LD 2227 proposed to provide for legislative review of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-978)** proposed to authorize the final adoption of the major substantive rule governing the membership and operation of regional provider advisory boards to the Child Development Services System regional boards of directors as long as the Department of Education amends the rule as provided in the

resolve. Under the rule as amended, until July 1, 1999, regional site employed providers would not be eligible to serve on the advisory boards, except that providers employed by a site and currently serving on advisory boards may continue to serve in that capacity until July 1, 1999. The amendment also proposed to require the department to report back to the joint standing committee of the Legislature having jurisdiction over education matters on implementation of the rule.

***Enacted law summary***

Resolve 1997, chapter 106 authorizes the final adoption of the major substantive rule governing the membership and operation of regional provider advisory boards to the Child Development Services System regional boards of directors as long as the Department of Education amends the rule as provided in this resolve. Under the rule as amended, until July 1, 1999, regional site-employed providers may not serve on the advisory boards, except that providers employed by a site and currently serving on advisory boards may continue to serve in that capacity until July 1, 1999. The law also requires the department to report back to the joint standing committee of the Legislature having jurisdiction over education matters on implementation of the rule. This bill was enacted as an emergency measure effective on April 1, 1998.

**LD 2252**

**An Act to Implement the Recommendations of the Governor's Commission on School Facilities**

**PUBLIC 787  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD PENDLETON P	OTP-AM	H-1088 H-1143 RICHARD S-634 NUTTING S-637 MICHAUD S-698 PENDLETON P S-743 MICHAUD

LD 2252 proposed to provide for the implementation of recommendations from the Governor's Commission on School Facilities. The bill proposed to accomplish the following:

1. It would establish a debt service factor that permits schools that accept tuition students to charge an additional fee to help cover the cost of school construction or renovation;
2. It would establish the Maine School Facilities Finance Program within the Maine Municipal Bond Bank to provide capital financing for construction, renovation and maintenance of school facilities and the leasing and purchase of needed equipment and school facilities;
3. It would establish the School Revolving Renovation Fund within the Maine School Facilities Finance Program to provide loans to school administrative units for health, safety and compliance repairs, as well as for limited nonemergency repairs, upgrades of learning spaces and small-scale capital improvements;
4. It would provide for interest-free loans and loan forgiveness for eligible school administrative units;