

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

August 2001

Members:

Sen. Betty Lou Mitchell, Chair

Sen. John M. Nutting

Sen. Margaret Rotundo

Rep. Shirley K. Richard, Chair

Rep. Mabel J. Desmond

Rep. James G. Skoglund

Rep. Elizabeth Watson

Rep. Stephen C. Estes

Rep. Glenn Cummings

Rep. Vaughn A. Stedman

Rep. Mary Black Andrews

Rep. Carol Weston

Rep. Mary Ellen Ledwin

Rep. Donald G. Soctomah

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

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. 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*
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 **September 21, 2001**.

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

Joint Standing Committee on Education and Cultural Affairs

The amendment also proposed to direct the commission to establish a stakeholder group to assist and advise the commission during its study and directs the commission to report its findings to the Legislature by December 6, 2001.

LD 766

Resolve, to Improve Child Development Services

**DIED BETWEEN
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	OTP-AM MAJ	H-662
MITCHELL B	OTP-AM MIN	

LD 766, which was jointly referred to the Education and Cultural Affairs Committee and Health and Human Services Committee, proposed to transfer responsibility for administering the Child Development Services System from the Department of Education to the Department of Human Services, effective July 1, 2002.

In the House the bill was finally passed as amended by Committee Amendment A; and the Senate initially engrossed it with the same amendment. Later the Senate indefinitely postponed the bill and it died between the houses on adjournment. At the end of the session, the Education Committee, by letter, requested that the Commissioner of Education report to the committee next session with appropriate recommendation for the improvement of early intervention and special education services for children up to age 6, including changes in CDS System structure and funding.

Committee Amendment "A" (H-662), the majority report of the committees, proposed to replace the bill and convert it to a resolve. The amendment proposed that the Commissioner of Education review the current delivery of services and develop a plan for reorganization of the provision of child development services required under federal law to children from birth to under 6 years of age throughout the State. The plan would have provided for centralized administration of the system for. In the process of developing the plan, the department was directed to consult with the Department of Human Services and Department of Mental Health, Mental Retardation and Substance Abuse Services. To provide required services in a timely manner, the plan would have established regional sites.

A 6-member legislative subcommittee was proposed to advise the Commissioner of Education in developing the plan. The subcommittee would have consisted of members of the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services. The commissioner and subcommittee were directed to use the services of outside consultants from national organizations in reviewing the current system and developing the reorganization plan.

The commissioner was to report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services by January 15, 2002. The report would have included the proposed reorganization plan, provisions for implementation by July 1, 2002, including transition issues and proposed implementing legislation. The joint standing committees were authorized to introduce legislation to the Second Regular Session of the 120th Legislature to implement the plan.

The amendment also proposed to add an appropriation section and a fiscal note to the bill.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "B" (H-663), the minority report of the committees, also proposed to replace the bill and convert it a resolve. It proposed that the Commissioner of Education's provider-director workgroup and the Maine Advisory Council on the Education of Children with Disabilities collaborate in the review of delivery of services to children with disabilities from birth to under 6 years of age and report to the Commissioner of Education with a preliminary report by October 10, 2001 and with a final report by January 10, 2002. The report was to address improved quality and consistency of services, professional development needs and ways to improve interagency coordination and collaboration.

The amendment also proposed that the Commissioner of Education in collaboration with the National Conference of State Legislatures, appropriate state and legislative agencies and other qualified entities conduct a survey of the families receiving services under the Child Development Services System and of the contract providers under that system. The survey was to address all aspects of the system and would have resulted in identification of information necessary to develop recommendations concerning whether and how the system needs to be revised.

The amendment proposed to direct the commissioner to report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services in January 2002 on the results of the collaboration of the provider-director workgroup and the Maine Advisory Council on the Education of Children with Disabilities and the survey. The committees would have been authorized to introduce legislation next session.

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

LD 770 Resolve, to Encourage Entrepreneurship Education and Outreach ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	ONTP MAJ	
CLOUGH	OTP MIN	

LD 770 proposed to direct the Department of Education to consider recommendations from the Department of Economic and Community Development and from other interested parties on entrepreneurship to encourage entrepreneurship education in kindergarten to grade 12 and in postsecondary education systems and to improve outreach of entrepreneurship education to rural areas of the State.

LD 811 An Act to Retain Engineering Expertise in the State ONTP

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

LD 811 proposed to establish the Maine Engineers Recruitment and Retention Program to provide financial assistance and incentives to any graduate of a college of engineering within the University of Maine System to become an employee in an engineering position in the State. The program also proposed to provide loan repayment to up to 10 eligible engineers working in Maine businesses. Under the proposed bill, the employers who applied for the loan repayment funds would have matched all funds received by their employees. The program would have