

# 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](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:

*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

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charter consistent with recent changes in federal and state laws, including provisions of the federal Internal Revenue Code and the Maine Municipal Bond Bank.

**LD 1636**                      **An Act to Increase Funding Alternatives for Small School Construction Projects**                      **ONTP**

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

LD 1636 proposed to rename and expand the scope of the School Revolving Renovation Fund to include small construction projects of 10,000 or fewer square feet to existing schools. The bill also proposed to provide an additional \$30,000,000 to the fund for fiscal year 2001-02.

**LD 1644**                      **An Act to Amend and Improve Education Laws**                      **PUBLIC 344**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD MITCHELL B	OTP-AM	H-523

LD 1644 proposed to delete language contained in the School Finance Act of 1985 relating to superintendents' salaries and subsidy. After the enactment of the School Finance Act of 1995, this language has no longer had any impact on subsidy calculations. This proposed change is a technical change in the School Finance Act of 1985 to reflect the change in subsidy calculations provided for in the School Finance Act of 1995. It also proposed to clarify the audit requirements and to modify the reporting requirements in the Maine Revised Statutes, Title 20-A, section 6051. Proposed changes include: (1) correction of section 1, paragraph E to include applicable provisions of the School Finance Act of 1995; (2) clarification of the requirement that the annual financial report be reconciled with the annual audit report; and (3) modification of the reporting requirements. These proposed clarifications should improve the quality of audits of school administrative units by ensuring appropriate use of funds and providing more flexible reporting requirements that will meet the needs of both the Department of Education and school administrative units. It also should improve the ability of the Department of Education to forecast the cost of school bus fleet replacement, improve the overall condition and safety of the publicly owned school bus fleet and reduce annual fleet maintenance costs. Local school administrative units could benefit by receiving subsidy for school bus lease-purchases under the same rules that govern cash and note purchases.

**Committee Amendment "A" (H-523)** proposed to remove the position of Federal and State Education Program Coordinator, an unclassified major policy influencing position, from the Maine Revised Statutes, Title 5 and Title 20-A since this position has been reclassified as an Education Team Leader and Policy Director, a classified, confidential position.

### *Enacted law summary*

Public Law 2001, chapter 344 makes certain changes to clarify and improve existing education laws. The law:

## Joint Standing Committee on Education and Cultural Affairs

1. Makes a technical change to clarify language in the school funding formula laws relating to superintendents' salaries and state subsidy calculations;
2. Modifies requirements relating to the obligations that school administrative units provide an annual audit report and an annual financial report to the Commissioner of Education;
3. Provides greater flexibility in the procurement of school buses by permitting school administrative units with the option of lease-purchasing school buses and by excluding lease-purchase payments for school buses from statutory limits on annual expenditures for school bus purchases; and
4. Reclassifies the position of Federal and State Education Program Coordinator, an unclassified major policy influencing position, as an Education Team Leader and Policy Director, a classified, confidential position.

**LD 1647**

**An Act to Allow Averaging of Unallocated Balances Over 3% for School Budgets**

**PUBLIC 127**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B RICHARD	OTP	

LD 1647 proposed to permit school boards to carry forward general operating fund balances at the end of a school administrative unit's fiscal year to meet the needs of the school administrative unit for up to 3 years. Under this bill, school boards would have the discretion of carrying forward unallocated balances in excess of 3% of the previous year's school budget for up to 3 years to reduce the state and local allocations for the purpose of computing state subsidy.