

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

Staff:

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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

5. A General Fund appropriation of \$60,000 in fiscal year 2002-03 to the Maine Technical College System for Western Maine University and Technical College Center operations; and
6. It also proposed to add a fiscal note to the bill.

While this bill as amended died on adjournment, the substance of certain provisions of the bill as amended by the committee amendment, was included in the Part II budget bill (see P.L. 2001, c. 439, Part JJJJ). The supplemental budget bill included appropriations for the following purposes:

1. A one-time General Fund appropriation of \$120,000 in fiscal year 2001-02 for architectural work and an appropriation of \$90,000 in ongoing funds in fiscal year 2002-03 for operations of the Western Maine University and Technical College Center to the University of Maine System;
2. An ongoing General Fund appropriation of \$60,000 in fiscal year 2002-03 to the Maine Technical College System for Western Maine University and Technical College Center operations; and
3. An ongoing General Fund appropriation of \$50,000 in fiscal year 2001-02 and fiscal year 2002-03 for operating costs of the at the Katahdin Area K-Tech Center.

Similar provisions to those contained in the bill were also contained in LD 1378, which was enacted as P&SL 2001, c. 37. Contingent upon passage of a \$36,700,000 General Fund bond, bond fund proceeds would be allocated for the following purposes:

1. Funds totaling \$1,800,000 to the University of Maine System to renovate and equip classroom space at the Western Maine University Center;
2. Funds totaling \$200,000 to the Maine Technical College System to renovate and equip classroom space at the Katahdin Area K-Tech Center; and
3. Funds totaling \$100,000 to the University of Maine System to renovate and equip classroom space at the Calais Center.

LD 1656

An Act to Simplify and Reform the School Funding Formula

ONTP

Sponsor(s)
MILLS

Committee Report
ONTP

Amendments Adopted

LD 1656 proposed to divide general purpose aid into its 4 component parts: operating costs, program costs, debt service and direct state costs, formerly called adjustments. The bill proposed to require that all 4 components receive separate default appropriations to take effect if the Legislature failed to appropriate new funds prior to March 31st of each year. The bill would have been effective for the fiscal year that begins July 1, 2002.

The bill contained transition cushions to buffer the change from the Maine Revised Statutes, Title 20-A, chapter 606-A to chapter 607-A over a period of 2 fiscal years. For those school units who would lose subsidy under the law, only 1/2 the loss would be recognized in the first year with the remainder picked up in the 2nd.

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Under the proposed bill, beginning July 2, 2004, a permanent cushion system would go into effect. Any unit that depended on state subsidies to fund 30% or more to its base year operating costs would be protected against losing any more than 5% in combined operating and program cost from one fiscal year to the next. The cushions would be funded by a mechanism that clips off excess subsidies that would otherwise be given to those units whose gains exceed a maximum percentage, which is annually calculated by the Commissioner of Education at the rate necessary to pay the cushion subsidies.

LD 1659 **Resolve, Establishing a Task Force to Study Alternative Secondary Education and the Unique Needs of Disenfranchised Students** **ONTP**

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

LD 1659 proposed to establish the Task Force to Study Alternative Secondary Education and the Unique Needs of Disenfranchised Students.

LD 1675 **Resolve, to Facilitate Attracting and Retaining a High Quality Work Force at the University of Maine System** **ONTP**

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

LD 1675 proposed to establish the Commission to Examine Health Insurance Benefits Provided to University of Maine System Employees. The commission would have examined providing health insurance benefits to University of Maine System employees under the same group health plan that is available to state employees and would have reported back to the Second Regular Session of the 120th Legislature.

LD 1684 **An Act to Ensure Adequate Funding for School Construction Costs** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN WOODCOCK	OTP-AM	H-193 H-258 RICHARD

LD 1684 proposed to require the Commissioner of Education to pay as a supplement to the regular student tuition for unorganized territory students attending school in School Administrative District No. 58 a debt service factor to help fund school construction costs of the school district. The amount of the debt service factor is proposed to equal to 10% of the tuition rate for unorganized territory students attending school in School Administrative District No. 58. The commissioner would be required to pay the debt service factor annually for 10 years or until