

# 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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**Maine State Legislature**  
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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:

|   |  |
|---|--|
| <i>CARRIED OVER</i> .....                             | <i>Bill Carried Over to Second Regular Session</i>                             |
| <i>CON RES XXX</i> .....                              | <i>Chapter # of Constitutional Resolution passed by both Houses</i>            |
| <i>CONF CMTE UNABLE TO AGREE</i> .....                | <i>Committee of Conference unable to agree; bill died</i>                      |
| <i>DIED BETWEEN BODIES</i> .....                      | <i>House &amp; Senate disagree; bill died</i>                                  |
| <i>DIED IN CONCURRENCE</i> .....                      | <i>One body accepts ONTP report; the other indefinitely postpones the bill</i> |
| <i>DIED ON ADJOURNMENT</i> .....                      | <i>Action incomplete when session ended; bill died</i>                         |
| <i>EMERGENCY</i> .....                                | <i>Enacted law takes effect sooner than 90 days</i>                            |
| <i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> ..... | <i>Emergency bill failed to get 2/3 vote</i>                                   |
| <i>FAILED ENACTMENT/FINAL PASSAGE</i> .....           | <i>Bill failed to get majority vote</i>  |
| <i>FAILED MANDATE ENACTMENT</i> .....                 | <i>Bill imposing local mandate failed to get 2/3 vote</i>                      |
| <i>NOT PROPERLY BEFORE THE BODY</i> .....             | <i>Ruled out of order by the presiding officers; bill died</i>                 |
| <i>INDEF PP</i> .....                                 | <i>Bill Indefinitely Postponed</i>   |
| <i>ONTP</i> .....                                     | <i>Ought Not To Pass report accepted</i>                                       |
| <i>OTP ND</i> .....                                   | <i>Committee report Ought To Pass In New Draft</i>                             |
| <i>OTP ND/NT</i> .....                                | <i>Committee report Ought To Pass In New Draft/New Title</i>                   |
| <i>P&amp;S XXX</i> .....                              | <i>Chapter # of enacted Private &amp; Special Law</i>                          |
| <i>PUBLIC XXX</i> .....                               | <i>Chapter # of enacted Public Law</i>   |
| <i>RESOLVE XXX</i> .....                              | <i>Chapter # of finally passed Resolve</i>                                     |
| <i>UNSIGNED</i> .....                                 | <i>Bill held by Governor</i>   |
| <i>VETO SUSTAINED</i> .....                           | <i>Legislature failed to override Governor's Veto</i>                          |

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

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<br>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<br>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<br>WOODCOCK | OTP-AM                  | H-193<br>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

## Joint Standing Committee on Education and Cultural Affairs

the debt associated with the school addition project at Kingfield Elementary School is retired, whichever occurs first.

**Committee Amendment "A" (H-193)** proposed to add an appropriation section and a fiscal note to the bill.

**House Amendment "A" to Committee Amendment "A" (H-258 )** proposed to amend the committee amendment to reflect revised information regarding the costs associated with the bill.

While this bill as amended died on adjournment, the substance of certain provisions of the bill as amended by the amendments, was included in the Part II budget bill (see P.L. 2001, c. 439, Part MMMM). The supplemental budget bill included a General Fund appropriation of \$66,355 in fiscal year 2001-02 and fiscal year 2002-03 for the first 2 of 10 years of debt service in School Administrative District No. 58.

**LD 1712**

### **An Act to Implement the Recommendations of the Task Force on the Maine Learning Technology Endowment**

**INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | OTP-AM    A             |                           |
|                   | ONTP       B            |                           |
|                   | OTP-AM    C             |                           |

LD 1712 was introduced by the Joint Standing Committee on Education and Cultural Affairs and proposed to implement the recommendations of the Task Force on the Maine Learning Technology Endowment as authorized pursuant to Public Law 1999, chapter 731, Part FFF, section 2. The bill proposed to amend the governance and investment provisions of current law related to the Maine Learning Technology Endowment by providing for the establishment of the Advisory Board of the Maine Learning Technology Endowment and by clarifying the roles and responsibilities of the Commissioner of Education and the Commissioner of Administrative and Financial Services with respect to the Maine Learning Technology Endowment. The bill also proposed to provide a set of guiding principles for the Maine Learning Technology Endowment and proposed to provide that the components of the learning technology plan that were recommended by the task force may be recommended by the Commissioner of Education and the Advisory Board of the Maine Learning Technology Endowment to the Legislature, as appropriate, for implementation of the proposed learning technology plan using proceeds from the endowment beginning in the 2002-03 school year.

**Committee Amendment "A" (H-671)** was the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment proposed to add an emergency preamble and emergency clause to the bill and proposed to accomplish the following.

1. It clarifies references to the Board of Trustees of the Maine State Retirement System, which may be the entity selected by the Commissioner of Administrative and Financial Services to manage the investment of the endowment fund.
2. It transfers \$20,000,000 of the original amount appropriated to the Maine Learning Technology Endowment fund, plus the interest income earned from the investment of the \$50,000,000 in the endowment fund on August 1, 2001, to the unexpended General Fund appropriations account.