

# 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*

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*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

## Joint Standing Committee on Education and Cultural Affairs

**Committee Amendment "B" (H-755)** was the minority report and proposed to authorize the Commissioner of Education to report a list of all the crimes and offenses for which individuals were rendered ineligible for employment and a number of those individuals who were convicted of any criminal offense involving the physical or sexual abuse or exploitation of a child.

It also proposed to add a fiscal note to the bill. The amendment was not adopted.

**LD 1779**

**An Act to Create the Legislative Youth Advisory Council**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
QUINT BENNETT	OTP-AM	H-474

LD 1779 proposed to establish the Legislative Youth Advisory Council to provide advice to the Legislature and its committees, commissions and task forces, the President of the Senate and the Speaker of the House on matters relating to youth.

**Committee Amendment "A" (H-474)** proposed to clarify that members of the Legislative Youth Advisory Council may be reappointed for additional 2-year terms, as long as they remain eligible for service on the council, and to remove a provision in the bill that incorrectly cited the Department of Education as the entity that grants school credit for extracurricular service.

While this bill as amended died on adjournment, the Part II budget bill included similar provisions to those contained in the bill as amended by the committee amendment (see P.L. 2001, c. 439, Part PPPP).

**LD 1781**

**Resolve, Regarding Legislative Review of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a Major Substantive Rule of the Department of Education**

**RESOLVE 41  
EMERGENCY**

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

LD 1781, a resolve, proposed to provide for legislative review of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a major substantive rule of the Department of Education.

### *Enacted law summary*

Resolve 2001, chapter 41 authorizes final adoption of regulations concerning the formula for distribution of funds to the regional sites of the Child Development Services System, a provisionally-adopted, major substantive rule of the Department of Education. The rule governs the annual distribution of funds to regional intermediate educational units in accordance with a funding formula to ensure the provision of Childfind, early intervention services and special education and related services for eligible children from birth to under age 3.

## Joint Standing Committee on Education and Cultural Affairs

Resolve 2001, chapter 41 was finally passed as an emergency measure effective May 29, 2001.

**LD 1783**                      **Resolve, Regarding Legislative Review of Chapter 60: New School Siting Approval, a Major Substantive Rule of the Department of Education**                      **RESOLVE 47 EMERGENCY**

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

LD 1783 proposed to approve Chapter 60: New School Siting Approval, a major substantive rule of the State Board of Education within the Department of Education.

### *Enacted law summary*

Resolve 2001, chapter 47 approves Chapter 60: New School Siting Approval, a major substantive rule of the State Board of Education within the Department of Education.

Resolve 2001, chapter 47 was finally passed as an emergency measure effective June 5, 2001.

**LD 1797**                      **Resolve, to Establish the Blue Ribbon Commission on Postsecondary Educational Attainment**                      **RESOLVE 66 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
MICHAUD MH SAXL		OTP-AM		S-314 S-389 GOLDTHWAIT

LD 1797, a resolve, proposed to create the Blue Ribbon Commission on Postsecondary Educational Attainment to study the impact of improving postsecondary educational attainment on the State's economy, assess the success of current efforts to improve educational attainment. The commission would submit its report, together with a plan to improve the State's levels of associate's degree and bachelor's degree attainment and any necessary implementing legislation, to the Second Regular Session of the 120<sup>th</sup> Legislature.

**Committee Amendment "A" (S-314)** proposed to revise the membership of the commission and change the title of the resolve to accurately state the name of the blue ribbon commission created by the resolve. The amendment also proposed to add an appropriation section and a fiscal note to the resolve.

**Senate Amendment "A" (S-389)** proposed to provide that the President of the Senate and the Speaker of the House of Representatives, rather than the Governor, make the 6 appointments of public members to the Blue Ribbon Commission on Postsecondary Educational Attainment. It also proposed to change the report date from February 1, 2002 to December 5, 2001. The amendment also proposed to remove the General Fund appropriation, which is included in the Part II budget.