

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

May 2002

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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number.

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:

- 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
PASSED..... Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Public Law 2001, chapter 590 gives the Maine Technical College System ongoing authority to issue up to \$35,000,000 in bonds and notes through the Maine Health and Higher Education Facilities Authority.

LD 1864

An Act to Increase the Number of Alternative Delivery Pilot Projects for School Construction and to Increase the Maximum Project Cost of Projects Eligible for Alternative Delivery

P & S 54

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD PENDLETON	OTP-AM	H-879

LD 1864 proposed to amend the authorization provided to school administrative units to use alternative delivery methods for a limited range and number of school construction projects under Private and Special Law 1999, chapter 79. The bill proposed to amend that authorization to increase the cap on "construction-manager-at-risk" alternative delivery projects for school construction and to increase from \$10,000,000 to \$20,000,000 the maximum project cost of projects eligible using the design-build method.

Committee Amendment "A" (H-879) proposed to change the title of the bill and replace the bill. The amendment proposed to amend certain provisions of Private and Special Law 1999, chapter 79, which authorized school administrative units to use alternative delivery methods for school construction projects. The amendment proposed to accomplish the following:

1. Authorize 10 additional "construction-manager-at-risk" alternative delivery projects for school construction, including 5 projects that exceed \$2,500,000 in total project cost but do not exceed \$10,000,000 and 5 projects that exceed \$10,000,000 in total project cost;
2. Authorize 2 additional "design-build" alternative delivery projects for school construction and increase the cap on total project cost for the 4 projects from \$10,000,000 to \$20,000,000;
3. Amend the authorization regarding the "design-build" and the "construction-manager-at-risk" alternative delivery methods for school construction projects to be consistent with the prequalification procedures devised for the alternative delivery methods established in the Maine Revised Statutes, Title 5, section 1743 for public improvement projects;
4. Establish an assessment team to evaluate the relative advantages and disadvantages of the alternative delivery methods employed during the 5-year pilot program, including but not limited to an analysis of the comparative costs and benefits of these methods for school construction projects to those found using the traditional competitive design-bid-build method;
5. Clarify the eligible project authorization provisions to more accurately reflect the legislative intent of the authorizing legislation; and
6. Add a fiscal note to the bill.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Private and Special Law 2001, chapter 54 amends certain provisions of Private and Special Law 1999, chapter 79, which authorized school administrative units to use alternative delivery methods for school construction projects. The law accomplishes the following.

1. It authorizes 10 additional "construction-manager-at-risk" alternative delivery projects for school construction, including 5 projects that exceed \$2,500,000 in total project cost but do not exceed \$10,000,000 and 5 projects that exceed \$10,000,000 in total project cost.
2. It authorizes 2 additional "design-build" alternative delivery projects for school construction and increases the cap on total project cost for the 4 projects from \$10,000,000 to \$20,000,000.
3. It amends the authorization regarding the "design-build" and the "construction-manager-at-risk" alternative delivery methods for school construction projects to be consistent with the prequalification procedures devised for the alternative delivery methods established in the Maine Revised Statutes, Title 5, section 1743 for public improvement projects.
4. It establishes an assessment team to evaluate the relative advantages and disadvantages of the alternative delivery methods employed during the 5-year pilot program, including but not limited to an analysis of the comparative costs and benefits of these methods for school construction projects to those found using the traditional competitive design-bid-build method.
5. It clarifies the eligible project authorization provisions to more accurately reflect the legislative intent of the authorizing legislation.

LD 1889

Resolve, Directing the Department of Education to Provide Adult Education and Other Support Services

INDEF PP

Sponsor(s)
TREAT

Committee Report
OTP-AM

Amendments Adopted
S-456

LD 1889 proposed to require the Department of Education to establish adult remedial education services for former students of the Governor Baxter School for the Deaf and the Maine School for the Deaf. It proposed that the services must include classes in basic instruction in literacy, computer skills, math and independent living skills. It proposed that classes must be accessible to students living in all geographic regions of the State. It proposed that the Division of Deafness also help identify people in need of the adult remedial education services.

Committee Amendment "A" (S-456) proposed to replace the original resolve. The amendment proposed to require the Department of Education to establish 5 demonstration sites to provide adult remedial education services for former students of the Governor Baxter School for the Deaf and the Maine School for the Deaf. The amendment also proposed to have services include classes provided by instructors who are fluent in American Sign Language with preference given to people who are deaf. It proposed that these