

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

withdrawal agreement could be completed on or before September 30, 2002. The Education Committee also requested that -- in the event that a withdrawal agreement is not approved by the member municipalities of the district by this date -- the Commissioner report this result to Education Committee members so that the Education Committee can consider any necessary recommendations regarding this matter that should be forwarded to the joint standing committee of the Legislature having jurisdiction over education matters during the 121st Legislature.

LD 2209

An Act to Implement the Recommendations of the Secretary of State and the University of Maine System to Develop a Comprehensive Plan for Preserving and Protecting Historical Records and Access to Those Records

PUBLIC 704

Sponsor(s)

Committee Report

Amendments Adopted

S-603 GOLDTHWAIT

LD 2209 was introduced by the Joint Standing Committee on Education and Cultural Affairs pursuant to the authority provided to the committee under Resolve 2001, chapter 10. The bill proposed to implement certain recommendations presented to the Second Regular Session of the 120th Legislature as part of the comprehensive plan for preserving and protecting historical records and access to those records developed by the Secretary of State, the University of Maine System and the Maine Historical Records Advisory Board. The bill proposed to accomplish the following:

1. Establish an enforcement mechanism for the existing statutory requirement that local governments provide a fireproof safe or vault for the preservation of records by directing each local government to respond to a survey distributed biennially by the State Archivist regarding the adequacy of the measures taken by the local government to comply with this record preservation requirement;
2. Establish an enforcement mechanism for the existing statutory requirement that local governments retain and preserve archival records currently in a digital format by directing each local government to respond to a survey distributed biennially by the State Archivist regarding the adequacy of the measures taken by the local government to comply with this archival record retention and preservation requirement;
3. Codify in statutes the existing Maine Historical Records Advisory Board, established pursuant to Executive Order No. 7 and ordered on January 30, 1989, and permit the members currently serving on this advisory board to continue serving their terms of office as initial members of the statutory advisory board;
4. Require the Governor, beginning with the 2004-2005 biennium, to include in the budget submitted to the Legislature each biennium a line item to permit expenditure of nonstate General Fund revenues, including federal funds, grants or gifts and a proposed line item to support a full-time position funded from nonstate General Fund revenues.
5. Provide an allocation from the Federal Expenditures Fund and Other Special Revenue funds to carry out the purposes of the bill.

Joint Standing Committee on Education and Cultural Affairs

Senate Amendment “A” (S-603) proposed to add a mandate preamble to the bill.

Enacted law summary

Public Law 2001, chapter 704 implements certain recommendations included in the comprehensive plan for preserving and protecting historical records and access to those records developed by the Secretary of State, the University of Maine System and the Maine Historical Records Advisory Board. The law enacts provisions included in a bill introduced by the Joint Standing Committee on Education and Cultural Affairs pursuant to the authority provided to the committee under Resolve 2001, chapter 10. The law directs each local government to respond to a survey distributed biennially by the State Archivist regarding the adequacy of the measures taken by the local government to comply with existing statutory requirements regarding the provision of a fireproof safe or vault for the preservation of records and the retention and preservation of archival records currently in a digital format.

The law also codifies in statutes the existing Maine Historical Records Advisory Board, established pursuant to Executive Order No. 7 on January 30, 1989, and permits the members currently serving on this advisory board to continue serving their terms of office as initial members of the statutory advisory board. The law further requires that the Governor, beginning with the 2004-2005 biennium, include in the budget submitted to the Legislature each biennium a line item to permit expenditure of nonstate General Fund revenues, including federal funds, grants or gifts and a proposed line item to support a full-time position funded from nonstate General Fund revenues.