

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

*May 2004*

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*Maine State Legislature*



*Office Of Policy And Legal Analysis  
Office Of Fiscal And Program Review*

*121st Maine Legislature  
Second Regular Session and  
Second Special Session*

*Summary Of Legislation Before The Joint Standing Committees*

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

*David C. Elliott, Director*  
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## Joint Standing Committee on Education and Cultural Affairs

### Enacted Law Summary

Private & Special Law 2003, chapter 50 provides a General Fund appropriation of \$100,000 in fiscal year 2004-05 to the Maine State Cultural Affairs Council for the New Century Community Program. The law also provides that any amounts unencumbered at the end of each fiscal year shall not lapse but must be carried forward to be used for the same purpose.

**LD 1861**                      **An Act To Require School Administrative Units To Report Their Costs for Legal, Consulting and Other Professional Services to the Department of Education**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN	ONTP      MAJ	
KANE	OTP-AM      MIN	

LD 1861 proposed to require local school units to provide an itemized report of all expenditures for legal, consulting and other professional services.

**Committee Amendment "A" (S-477)**, which was the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to strike and replace the bill with an amendment that clarifies that, beginning in fiscal year 2005-06, the annual reports submitted by school superintendents to the Commissioner of Education would be filed in the format and within the time periods specified by the commissioner. The amendment further proposed to provide that the annual report filed by superintendents would include a detailed report of all school administrative unit expenses for legal, consulting and other professional services in the format required by the Commissioner of Education to implement the Maine Education Data Management System in fiscal year 2005-06. The amendment also proposed to add an effective date of July 1, 2005. (Not adopted.)

During the session, the Education Committee, by letter, requested that the Commissioner of Education report to the committee during the legislative interim with a status report of the Department of Education's plans for revising the Handbook II-R and related reporting forms and with an updated timeline for the implementation of the Maine Education Data Management System project, which is scheduled for deployment in fiscal year 2005-06.

**LD 1862**                      **Resolve, To Create an Associate Degree Program in Radiology Technology**                      **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY COLWELL	OTP-AM	S-445

LD 1862 proposed to implement recommendations of the Presiding Officers' Advisory Task Force on Creating a Future For Youth in Maine. The bill proposed to accomplish the following:

## *Joint Standing Committee on Education and Cultural Affairs*

1. To direct the Department of Economic and Community Development to develop and administer an internship program to provide college students in Maine with opportunities to work in technology-based businesses in the Applied Technology Development System and in occupations and industries experiencing labor shortages.
2. To direct the Board of Trustees of the University of Maine System and the Board of Trustees of the Maine Community College System to develop and implement a consistent policy regarding the transfer of credits between campuses within each system and between the 2 systems in order to remove barriers to student transfer within and between campuses and to facilitate completion of the students' education in a timely and affordable manner.
3. To direct the University of Maine System and the Maine Community College System to work together to develop a unified, comprehensive approach to entrepreneurship education throughout both systems, including specific courses and workshops on starting and operating a small business.
4. To create a 2-year associate degree program in radiology technology at Kennebec Valley Community College and to express the intent of the Legislature that \$100,000 are appropriated for this purpose in the next biennium.
5. To direct the Board of Trustees of the University of Maine System to develop a plan and strategy to establish centers of excellence throughout the University of Maine System and to reduce duplication of programs and services.
6. To direct the State Board of Education and the Commissioner of Education to develop and implement a plan to ensure that every high school student in Maine has the opportunity to complete the core courses required for college entry and is encouraged to explore postsecondary educational opportunities.

**Committee Amendment "A" (S-445)** proposed to replace the bill with a resolve authorizing the provision of funding to support the establishment of a 2-year associate degree program in radiology technology at Kennebec Valley Community College. The amendment also proposed to express the intent of the Legislature that \$100,000 is appropriated for this purpose in the next biennium.

At the end of the session, the Education Committee, by letter, requested that the State Board of Education and the Commissioner of Education to develop and report to the committee during the First Regular Session of the 122<sup>nd</sup> Legislature a plan to ensure that every high school student in Maine has the opportunity to complete the core courses required for college entry and is encouraged to explore postsecondary educational opportunities.

At the end of the session, the Education Committee, by letter, also requested that the University of Maine System and the Maine Community College System work together on a report and recommendations to be presented to the committee during the First Regular Session of the 122<sup>nd</sup> Legislature regarding the development and implementation of: (a) a consistent policy regarding the transfer of credits between campuses within each system and between the 2 systems; and (b) a unified, comprehensive approach to entrepreneurship education throughout both systems, including specific courses and workshops on starting and operating a small business.