

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

May 2004

Members:

Sen. Neria R. Douglass, Chair

Sen. Michael F. Brennan

Sen. Betty Lou Mitchell

Rep. Glenn A. Cummings, Chair

Rep. Rosita Gagne-Friel

Rep. Jacqueline R. Norton

Rep. Jonathan Thomas

Rep. Edward D. Finch

Rep. Jeremy Fischer

Rep. Mary Black Andrews

Rep. Thomas W. Murphy, Jr.

Rep. Mary Ellen Ledwin

Rep. Gerald M. Davis

Staff:

Phillip D. McCarthy, Legislative Analyst

Nicole A. Dube, Legislative Analyst

Office of Policy and Legal Analysis

13 State House Station

Augusta, ME 04333

(207) 287-1670

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).

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
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Education and Cultural Affairs

2. It directs the Legislative Youth Advisory Council to seek outside funding to conduct a series of statewide public forums on issues important to youth and to invite Legislators from the various regions of the State to these public forums; and further requires the Legislative Youth Advisory Council to report its findings and any conclusions to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters, the Judicial Department and the Task Force on Citizenship Education; and
3. It directs the Department of Education and the State Board of Education to jointly convene a Task Force on Citizenship Education to address the recommendations of the Commission.

LD 1917

An Act To Implement the Recommendations of the Legislative Youth Advisory Council

PUBLIC 708

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-856 S-599 CATHCART

LD 1917 proposed to implement the recommendations of the Legislative Youth Advisory Council and was submitted pursuant to the Maine Revised Statutes, Title 3, section 168-A, subsection 1, paragraph E. The bill proposed to accomplish the following:

1. It provides that, if the Department of Human Services and a state ward agree that an extension is needed, the State may provide care and support until the ward reaches 23 years of age. Current law requires that state-supported services to state wards end not later than 21 years of age and, therefore, may impede the completion of postsecondary educational study by those persons;
2. It directs the Department of Human Services, the Department of Behavioral and Developmental Services and the Department of Education to study and report back to the Legislative Youth Advisory Council on ways to increase participation in school activities by students residing with other than the parent or parents;
3. It directs the Secretary of State and the Department of Human Services to study and report back to the Legislative Youth Advisory Council on barriers that may exist for youth residing in group homes in obtaining driver's licenses and methods to overcome those barriers; and
4. It shifts responsibility for staffing support of the council from the Edmund S. Muskie School of Public Service to the Legislative Council and for funding the costs of the council from the Edmund S. Muskie School of Public Service to the Legislature in fiscal year 2005-06.

Committee Amendment "A" (H-856) proposed to clarify the proposal in the bill related to the continued provision of state support for state wards who are still enrolled in postsecondary education programs when they reach 21 years of age. The amendment proposed to authorize the Department of Human Services, at its discretion and by agreement with a state ward, to continue providing support for room, board and related education expenses until that state ward reaches 23 years of age. Funds allocated to provide support would come from an identified education and training account specifically established for the postsecondary education-related costs of state wards after they reach age 21 and before they reach age 23. This amendment also adds an appropriations and allocations section.

Joint Standing Committee on Education and Cultural Affairs

Senate Amendment "A" (S-599) proposed to strike 2 sections of the bill to retain current funding and staffing responsibilities for the Legislative Youth Advisory Council.

Enacted Law Summary

Public Law 2003, chapter 708 implements the recommendations of the Legislative Youth Advisory Council. The law accomplishes the following:

1. It allows for the continued provision of state support for state wards who are still enrolled in postsecondary education programs when they reach 21 years of age by authorizing the Department of Human Services, at its discretion and by agreement with a state ward, to continue providing support for room, board and related education expenses until that state ward reaches 23 years of age;
2. It directs the Department of Human Services, the Department of Behavioral and Developmental Services and the Department of Education to study and report back to the Legislative Youth Advisory Council on ways to increase participation in school activities by students residing with other than the parent or parents;
3. It directs the Secretary of State and the Department of Human Services to study and report back to the Legislative Youth Advisory Council on barriers that may exist for youth residing in group homes in obtaining driver's licenses and methods to overcome those barriers; and
4. It retains the current funding and staffing responsibilities provided for the Legislative Youth Advisory Council.

LD 1924

An Act To Reduce the Cost of Local Government through Increased State Education Funding and Provide Property Tax Relief

PUBLIC 712

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS CUMMINGS	OTP-AM	S-545 S-550 BRENNAN

LD 1924, a Governor's bill, was referred jointly to the Joint Standing Committees on Education and Taxation. The bill proposed to provide that by fiscal year 2009-10 the state share of kindergarten to grade 12 education funding, as described by essential programs and services, must be 55%. It also proposed to establish a local cost share expectation for property tax years beginning on or after April 1, 2005. The maximum local cost share expectation would decline over the period from fiscal year 2005-06 to fiscal year 2009-10. The expectation would not exceed 9.0 mills in fiscal year 2005-06. It could not exceed 8.0 mills in fiscal year 2009-10. Beginning in fiscal year 2009-2010 the legislative body of a school administrative unit could not adopt a property tax rate that exceeded its mill expectation unless, in a vote separate from its adoption of the school budget, it voted to increase the property tax rate.

The bill also proposed to place transportation operating costs into the essential programs and services funding formula. It also stated that special education costs would be included in essential programs and services starting in fiscal year 2005-06. Beginning in fiscal year 2004-05, the Department of Education would provide training in state-approved guidelines for identification of special education students. The bill also placed early childhood education program costs and vocational education program costs into essential programs and services no later than fiscal year 2007-08.