

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

*August 2005*

**Members:**

*Sen. Elizabeth H. Mitchell, Chair*

*Sen. Elizabeth M. Schneider*

*Sen. Karl W. Turner*

*Rep. Jacqueline R. Norton, Chair*

*Rep. Edward D. Finch*

*Rep. Elaine Makas*

*Rep. Emily Ann Cain*

*Rep. Connie Goldman*

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*Rep. Vaughn A. Stedman*

*Rep. Gerald M. Davis*

*Rep. Peter Edgecomb*

*Rep. Scott E. Lansley*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

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- 3. Clarify the existing law concerning compliance by schools with the system of learning results by specifying what town academies must use for measuring compliance in lieu of the local assessment system used in public schools; and
- 4. Add a reference in the essential programs and services law to the current law governing the maximum allowable tuition rate that may be charged by private schools for students educated at public expense.

**LD 1387                      Resolve, To Promote Training Centers for Entrepreneurship                      CARRIED OVER**

<u>Sponsor(s)</u> RICHARDSON J MITCHELL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-482
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LD 1387 proposes including entrepreneurship education principles in the next review of the system of learning results. It proposes requiring the Chancellor of the University of Maine System and the President of the Maine Community College System to develop an entrepreneurship curriculum to be implemented at all University of Maine System and Maine Community College System campuses and to market community colleges as training centers for business owners and operators. This resolve also proposes establishing the Entrepreneurship Education Task Force comprised of the Commissioner of Education, Chancellor of the University of Maine System and the President of the Maine Community College System. It proposes requiring the task force to report to the Joint Standing Committee on Education and Cultural Affairs no later than February 1, 2006.

This resolve proposes directing the Maine Community College System to implement a statewide entrepreneurship training program that covers key aspects of starting a business, and including an appropriation of \$370,000 over 2 years to fund the program and make the program available to the widest possible audience.

**Committee Amendment "A" (H-482)** proposes changing the title of the resolve and removing the directives for curriculum development. It proposes requiring that the Chancellor of the University of Maine System and the President of the Maine Community College System to review course offerings relating to entrepreneurship and to promote their campuses as entrepreneur training centers. It proposes removing all directives to the Commissioner of Education regarding entrepreneurship at the elementary and secondary levels.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

**LD 1397                      An Act Regarding the Wells-Ogunquit Community School District                      ONTP**

<u>Sponsor(s)</u> ANDREWS MOULTON	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 1397 proposed to change the formula for computing each town's assessment for the expenses of the Wells-Ogunquit Community School District. The current formula bases 67% of the assessments on state valuation and 33% on the number of resident pupils in each town. The formula would have been changed over a 3-year period

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so that the assessments were based entirely on the number of resident pupils in each town. It proposed to remove language that permits the towns to agree to change the formula by separate majority vote in each town and that proposed to require a withdrawal from the community school district to be authorized by special act of the Legislature.

**Committee Amendment "A" (S-272)**, which was the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to strike and replace the bill to require that the Wells-Ogunquit Community School District would address the dispute between the Town of Wells and the Town of Ogunquit over the cost-sharing formula for the school district as follows:

1. The Commissioner of Education would have selected a knowledgeable 3rd party with expertise in education policy to provide technical assistance to the parties, the mediators and the arbitrator in determining the most equitable method of computing each town's assessment for the total expenses of the community school district and to also provide an impartial assessment of the education policy considerations for all kindergarten to grade 12 students residing within the Wells-Ogunquit Community School District;
2. The Town of Wells and the Town of Ogunquit and their representatives would have entered into mediation to resolve their cost-sharing dispute;
3. If the 2 parties failed to agree upon a cost-sharing formula with the assistance of mediation and the knowledgeable 3rd party appointed by the Commissioner of Education, then the Commissioner of Education would have arranged for an arbitration proceeding, which would have resulted in a binding determination of the cost-sharing dispute between the Town of Wells and the Town of Ogunquit;
4. The arbitrator would have made a binding determination for the apportionment of kindergarten to grade 12 education costs, which would have been in effect for fiscal year 2007-08 and subsequent fiscal years; and
5. The Town of Wells and the Town of Ogunquit would have shared equally in the costs of mediation and binding arbitration undertaken to resolve their cost-sharing dispute, and a state mandate account would have been established in the Department of Administrative and Financial Services to receive money from gifts, grants, bequests and donations in addition to money appropriated or allocated by the State for the purpose of providing funds to pay 90% of the total costs associated with the mediation, arbitration and legal services necessary to resolve the issues concerning the sharing of the total expenses of the Wells-Ogunquit Community School District.

**LD 1407**

**An Act To Allow Municipalities To Offer Subsidies to Parents To  
Send Their Children to Other Schools**

**ONTP**

<u>Sponsor(s)</u> DAIGLE SCHNEIDER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1407 proposed allowing municipalities to offer a subsidy to a parent of an elementary or secondary student to send the student to a school other than the public school in the school administrative unit in which the parent or student resides. It proposed requiring a parent to send the student to an accredited school that meets the provisions of the system of learning results in order to receive the subsidy.