

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

Rep. Barbara E. Merrill

Rep. Vaughn A. Stedman

Rep. Gerald M. Davis

Rep. Peter Edgecomb

Rep. Scott E. Lansley

Staff:

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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.

Joint Standing Committee on Education and Cultural Affairs

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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAIGLE SCHNEIDER	ONTP	

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.