

# 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. 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.

*Joint Standing Committee on Education and Cultural Affairs*

LD 1661

**An Act To Streamline Higher Education in Maine**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL NORTON	ONTP	

LD 1661 proposed to establish a centralized system of governance and coordination for public higher education and proposed to reorganize the system for public higher education in Maine by creating the Board of Regents of Higher Education, which would have been established as the central policy-making authority for public higher education in the State. The bill further proposed to establish a coordinating council and an advisory committee to assist the board of regents in fulfilling its policy-making role of coordinating the programs and resources of the University of Maine System and its universities, the Maine Community College System and its colleges and the Maine Maritime Academy. The bill also proposed to establish transition provisions to review and propose legislative revisions to the charters and relevant statutes of the University of Maine System, the Maine Community College System and the Maine Maritime Academy to align the governance structures of these entities with the board of regents as the central policy-making authority for the state system of higher education. The bill further proposed to direct the Chancellor of the University of Maine System, the President of the Maine Community College System and the President of the Maine Maritime Academy, and the respective chairs of their boards of trustees, to work with the Joint Standing Committee on Education and Cultural Affairs to address a number of transition provisions. Finally, the bill proposed to establish July 1, 2007 as the effective date for implementing these governance and coordination changes.

**LD 1668**

**An Act To Establish a Cost-sharing Formula for the Five Town  
Community School District**

**P & S 10  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MERRILL WESTON		

LD 1668 was introduced as an emergency measure by H.P. 1177. The bill proposed to establish a cost-sharing formula for the community school district created in Private and Special Law 1993, chapter 64. It proposed to provide that beginning July 1, 2005, the community school district shall share its costs, including additional local funds, among the member municipalities in proportion to each municipality's required contribution to the total cost of funding education as described in the Essential Programs and Services Funding Act. It also proposed to provide that the cost-sharing formula applicable to the community school district's additional local funds may be amended pursuant to the Maine Revised Statutes, Title 20-A, section 1704.

***Enacted law summary***

Private and Special Law 2005, chapter 10 establishes a cost-sharing formula for the community school district created in Private and Special Law 1993, chapter 64. It provides that beginning July 1, 2005, the community school district shall share its costs, including additional local funds, among the member municipalities in proportion to each municipality's required contribution to the total cost of funding education as described in the Essential Programs and Services Funding Act. It also provides that the cost-sharing formula applicable to the

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community school district's additional local funds may be amended pursuant to the Maine Revised Statutes, Title 20-A, section 1704.

Private and Special Law 2005, chapter 10 was enacted as an emergency measure effective June 12, 2005.

**LD 1684**

**An Act Regarding Transition Provisions for the Sharing of Costs  
in Certain School Districts**

**P & S 23  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

LD 1684 was reported out as an emergency bill by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2005, chapter 2.

***Enacted law summary***

Private and Special Law 2005, chapter 23 changes the cost-sharing mechanism established by the Essential Programs and Services Funding Act and incorporates transition provisions for certain school districts whose cost-sharing formulas may result in adverse impacts for member municipalities within the school districts. The law accomplishes the following.

1. It provides an adjustment to the state share of the total allocation for school administrative districts and community school districts that have member municipalities with local contributions that are below the maximum mill rate expectation but that are adversely affected as a result of the cost-sharing mechanism established pursuant to the Maine Revised Statutes, Title 20-A, section 15688.
2. It provides transition provisions to the current cost-sharing formula of School Administrative District No. 71 for fiscal year 2005-06 to fiscal year 2008-09 and subsequent fiscal years.
3. It provides transition provisions to the cost-sharing formula of the Manchester, Mount Vernon, Readfield and Wayne Community School District for fiscal year 2005-06 to fiscal year 2008-09.
4. It provides a one-year extension to allow the Department of Education to continue to assist School Administrative District No. 74 in developing a transition plan to phase in the new method of determining member municipalities' local cost of education in accordance with Title 20-A, section 15688 by fiscal year 2008-09.
5. It authorizes the Commissioner of Education to adjust the allocation of general purpose aid to local schools for School Administrative District No. 67 in fiscal year 2005-06 should the state valuation for the Town of Lincoln be reduced due to a reduction in value of the Eastern Fine Paper plant.

Private and Special Law 2005, chapter 23 was enacted as an emergency measure effective June 7, 2005.