

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

July 2006

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. Vaughn A. Stedman

Rep. Gerald M. Davis

Rep. Peter Edgecomb

Rep. Scott E. Lansley

Rep. Barbara E. Merrill

Staff:

Phillip D. McCarthy, Legislative Analyst

Jill Ippoliti, 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

122nd Maine Legislature Second Regular 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 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 (Pocket Veto).....	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 August 23, 2006.

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addition, this bill proposed that, if a school provides an emergency contact form to parents, it would include the opt-out form on the emergency contact form.

LD 1902

An Act Concerning Energy Conservation in Schools

PUBLIC 499

<u>Sponsor(s)</u> TUTTLE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-791
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LD 1902 proposed to raise the allowable contract cost for improving school energy conservation or combined energy conservation and air quality improvements from \$1,000,000 to \$2,000,000.

Committee Amendment “A” (H-791) proposed to retain the provision in the bill that raises the allowable contract cost for making school energy conservation or combined energy conservation and air quality improvements from \$1,000,000 to \$2,000,000. The amendment also proposed to decrease the length of the allowable contract from 20 years to 15 years and proposed to clarify that a school administrative unit could enter into such an improvement contract only for an existing school administrative unit facility. It further proposed to provide that a school administrative unit's costs for entering into such an improvement contract would not be applicable to school construction project costs, the debt service on which would be eligible for subsidy purposes under the Maine Revised Statutes, Title 20-A, section 15907.

Enacted law summary

Public Law 2005, chapter 499 raises the allowable contract cost for improving school energy conservation or combined energy conservation and air quality improvements from \$1,000,000 to \$2,000,000. The law also decreases the length of the allowable contract from 20 years to 15 years and clarifies that a school administrative unit may enter into such an improvement contract only for an existing school administrative unit facility. The law further provides that a school administrative unit's costs for entering into such an improvement contract are not applicable to school construction project costs, the debt service on which is eligible for subsidy purposes under the Maine Revised Statutes, Title 20-A, section 15907.

LD 1903

An Act To Restore the Cost-sharing Agreement Established by the Voters of Maine School Administrative District No. 40

**P & S 38
EMERGENCY**

<u>Sponsor(s)</u> MILLER DOW		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-771
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LD 1903 proposed to reestablish the cost-sharing agreement established in 1992 at a referendum election by the voters of Maine School Administrative District No. 40. That cost-sharing formula apportions all the local share contributions to the school district on the basis of 50% of each town's valuation and 50% of each town's student population. The bill also proposed to preserve the right of the voters of the school district to amend that formula in the future according to the procedures to amend cost-sharing arrangements that are available under current law. Locally approved school administrative district cost-sharing agreements were preempted by Public Law 2003, chapter 712, which first became effective for the 2005-06 school fiscal year. In some districts, that preemption

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caused significant changes in the local financial obligations among the municipalities participating in those school districts.

Committee Amendment “A” (H-771) proposed to incorporate a fiscal note.

Enacted law summary

Private and Special Law, chapter 38 reestablishes the cost-sharing agreement established in 1992 at a referendum election by the voters of Maine School Administrative District No. 40. That cost-sharing formula apportions all the local share contributions to the school district on the basis of 50% of each town's valuation and 50% of each town's student population. The law also preserves the right of the voters of the school district to amend that formula in the future according to the procedures to amend cost-sharing arrangements that are available under current law.

Private and Special Law 2005, chapter 38 was enacted as an emergency measure effective March 17, 2006.

LD 1936

An Act To Improve the Oral Health of Maine's Children

PUBLIC 653

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN SMITH N	OTP-AM	S-498 S-672 ROTUNDO

LD 1936 proposed expanding the health screenings provided to students to include oral health assessments.

Committee Amendment “A” (S-498) proposed replacing the bill. It proposed directing the Commissioner of Health and Human Services, in consultation with the Commissioner of Education, to develop and implement a grant program to award funds to nonprofit organizations to provide oral health assessments and dental services to eligible children. The amendment also proposed adding an appropriation of \$150,000 in fiscal year 2006-07 for the grant program.

Senate Amendment “A” to Committee Amendment “A” (S-672) proposed reducing the amount transferred annually from General Fund undedicated revenue to \$25,000.

Enacted law summary

Public Law 2005, chapter 653 directs the Commissioner of Health and Human Services, in consultation with the Commissioner of Education, to develop and implement a grant program to award funds to nonprofit organizations to provide oral health assessments and dental services to eligible children. The law directs the Commissioner of Education and the Commissioner of Health and Human Services to convene a task force to assist in developing and implementing the grant program. The task force is charged with advising the commissioners on models for the provision of oral health assessments in the schools or that are facilitated by school administrative units and criteria to use in selecting among applicants for grants and schools to participate. The commissioners are required to report back to the joint standing committee of the Legislature having jurisdiction over education matters. Beginning in fiscal year 2006-07, the law also provides for an annual transfer of \$25,000 from General Fund undedicated revenues to fund the grant program.