

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:

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Maine State Legislature



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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.

Joint Standing Committee on Education and Cultural Affairs

LD 2113

**An Act To Extend the Alternative Delivery Methods Pilot Program
for Certain School Construction Projects**

P & S 52

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	
	OTP-AM MIN	

LD 2113, a bill reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Private and Special Law 2001, chapter 54, section 3, proposed to extend the pilot program for using alternative delivery methods for school construction by authorizing an additional 10 school construction projects. The proposed additional projects would be locally funded school construction projects, would have a minimum total project cost of \$2,500,000 and would have an executed contract between the school administrative unit and the project designer dated prior to August 1, 2009.

The bill also proposed to direct the assessment team to review these additional projects and report its findings and recommendations on the pilot project no later than December 12, 2008 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs would be authorized to report out a bill to the First Regular Session of the 124th Legislature to implement the recommendations of the assessment team.

Enacted law summary

Private and Special Law 2005, chapter 52 extends the pilot program for using alternative delivery methods for school construction by authorizing an additional 10 school construction projects. The additional projects must be locally funded school construction projects, must have a minimum total project cost of \$2,500,000 and must have an executed contract between the school administrative unit and the project designer dated prior to August 1, 2009.

The law also directs the assessment team to review these additional projects and report its findings and recommendations on the pilot project no later than December 12, 2008 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to the First Regular Session of the 124th Legislature to implement the recommendations of the assessment team.

LD 2114

**An Act To Implement Organizational Improvements to the
Legislative Youth Advisory Council**

PUBLIC 616

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

LD 2114, which was introduced without reference to a committee, proposed to accomplish the following.

Part A proposed to repeal a requirement that the Department of Education transfer \$30,000 to the Legislature to fund certain activities of the Legislative Youth Advisory Council. In lieu of that transfer, this bill instead proposed to require that the Department of Education use existing Other Special Revenue funds to pay for 2 statewide public forums of the council between July 1, 2006 and November 30, 2006. Completion of the 2 public

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forums required in this bill and payment by the department of all associated costs would constitute fulfillment of the duties of the department and the council pertaining to public forums required under Resolve 2003, chapter 143, Part A, sections 2 and 3. A summary of these forums, along with any recommendations from those forums, would be included in the council's report to the Legislature in January 2007. Part A also proposed to add a provision prohibiting any public or private entity from seeking any outside funds to support activities of the council without first obtaining the prior written approval from the Legislative Council or its executive director.

Part B proposed to simplify the appointment process, proposed to change the council's reporting requirements from an annual report to the full Legislature to a biennial report to the Legislative Council, proposed to change the number of youth members on the council from 18 to 16, proposed to require youth members to be at least 16 years of age at the time of appointment and proposed to require that all youths and legislative members be appointed or reappointed at the start of each new Legislature. Transition provisions are also proposed to allow current youth members to serve the full 2-year term for which they were appointed under the previous law.

Enacted law summary

Public Law 2005, chapter 616 implements organizational improvements related to the operations of the Legislative Youth Advisory Council. The law accomplishes the following.

Part A repeals a requirement that the Department of Education transfer \$30,000 to the Legislature to fund certain activities of the Legislative Youth Advisory Council. In lieu of that transfer, this bill instead requires that the Department of Education use existing Other Special Revenue funds to pay for 2 statewide public forums of the council between July 1, 2006 and November 30, 2006. Completion of the 2 public forums required in this bill and payment by the department of all associated costs constitute fulfillment of the duties of the department and the council pertaining to public forums required under Resolve 2003, chapter 143, Part A, sections 2 and 3. A summary of these forums, along with any recommendations from those forums, will be included in the council's report to the Legislature in January 2007. Part A also adds a provision prohibiting any public or private entity from seeking any outside funds to support activities of the council without first obtaining the prior written approval from the Legislative Council or its executive director.

Part B simplifies the appointment process, changes the council's reporting requirements from an annual report to the full Legislature to a biennial report to the Legislative Council, changes the number of youth members on the council from 18 to 16, requires youth members to be at least 16 years of age at the time of appointment and requires that all youths and legislative members be appointed or reappointed at the start of each new Legislature. Transition provisions are included that allow current youth members to serve the full 2-year term for which they were appointed under the previous law.