

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

*July 2003*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First 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 and joint 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 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](http://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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

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*Joint Standing Committee on Education and Cultural Affairs*

**LD 60**                      **An Act to Provide School Districts with Authority to Address the Problem of Truancy**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERRIERE-BOUC BRENNAN	ONTP	

LD 60, which was a concept draft pursuant to Joint Rule 208, proposed to address the issues surrounding truancy and to provide school districts with procedures to combat truancy. The bill proposed to create a protocol that school districts could follow to enforce the laws regarding school attendance.

**LD 69**                      **An Act To Clarify the Intent of School Budget Referendum Language**                      **PUBLIC 474**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL TREAT	OTP-AM	H-115

LD 69 proposed to add language to the required format of school referenda articles to explain to the voters the meaning of the terms "foundation allocation," "debt service" and "additional local funds." Under current law, the legislative body of a school administrative unit must vote to raise and appropriate amounts using articles that are worded in "substantially" the same form as is set forth in the Maine Revised Statutes.

**Committee Amendment "A" (H-115)** proposed to strike and replace the bill to make technical corrections to the explanations provided for the foundation allocation article and the additional local appropriation article. The amendment proposed to contain the provisions of the bill that proposed to add language to the required format of school referenda articles to explain to the voters the meaning of the terms "foundation allocation," "debt service" and "additional local funds." The amendment also proposed to replace the term "school district" with the term "municipality/district" to correspond to the existing statutory provisions of the Maine Revised Statutes, Title 20-A, section 15614.

***Enacted Law Summary***

Public Law 2003, chapter 474 adds language to the required format of school referenda articles to explain to the voters the meaning of the terms "foundation allocation," "debt service" and "additional local funds." Under current law, the legislative body of a school administrative unit must vote to raise and appropriate amounts using articles that are worded in "substantially" the same form as is set forth in the Maine Revised Statutes.

**LD 84**                      **An Act To Reimburse the State Poet Laureate and To Provide Access to the State Poet Laureate's Services**                      **PUBLIC 300**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	OTP-AM	H-392

LD 84 proposed to establish the State Poet Laureate Reimbursement Fund within the Maine Arts Commission and require the commission to administer the fund, which provides funds to nonprofit public agencies in Maine to

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reimburse the State Poet Laureate for the cost of travel and related expenses associated with bringing the services of the State Poet Laureate to the community. This bill further proposed to require the commission to conduct a review of the process of applying for and obtaining funds once the process has been in place for 3 years and implement any necessary adjustments by September 30, 2006. The bill also proposed to require the Maine Arts Commission to promote the State Poet Laureate Reimbursement Fund through its various avenues of communication, including its publicly accessible site on the Internet.

**Committee Amendment "A" (H-392)** proposed to replace the bill and proposed to establish the State Poet Laureate Reimbursement Fund within the Maine Arts Commission. The amendment proposed to replace the General Fund account proposed in the bill with an Other Special Revenue Funds account and clarify that the fund administered by the commission may provide funds to nonprofit public agencies and to schools in Maine to reimburse the State Poet Laureate for the cost of travel and related expenses associated with bringing the services of the State Poet Laureate to the community. The amendment also proposed to require the commission to conduct a review of the process of applying for and obtaining funds once the process has been in place for 3 years and to implement any necessary adjustments by September 30, 2006. The amendment further proposed to require the Maine Arts Commission to promote the State Poet Laureate Reimbursement Fund through its various avenues of communication, including its publicly accessible site on the Internet.

### *Enacted Law Summary*

Public Law 2003, chapter 300 establishes the State Poet Laureate Reimbursement Fund within the Maine Arts Commission as an Other Special Revenue Funds account. The fund is administered by the commission and may provide funds to nonprofit public agencies and to schools in Maine to reimburse the State Poet Laureate for the cost of travel and related expenses associated with bringing the services of the State Poet Laureate to the community.

### **LD 104                      An Act to Help Public Schools Promote Public Health and Address Childhood Obesity                      CARRIED OVER**

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

LD 104 proposes to direct the Department of Education to adopt rules to prohibit the sale of certain foods and drinks in schools. The bill proposes to prohibit the sale in all schools of any food or beverage that has more than a 35 percent sugar or sweetener content, any juice that is less than 100 percent real fruit juice and any food that has more than 8 grams of fat per serving. The bill also proposes to prohibit the sale of all soft drinks in elementary schools and middle schools. It would allow the sale of soft drinks in high schools only if they are free of caffeine and sugar. The bill also proposes to allow schools to honor contracts that were in effect on January 1, 2003 with suppliers for the prohibited foods and beverages. The bill has been carried over to the Second Regular Session.