

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).

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 2nd 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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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.

David C. Elliott, Director
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Joint Standing Committee on Education and Cultural Affairs

override is approved on an individual case-by-case basis in the application of the school policy and that such override is approved by a 2/3 vote of the school committee members present and voting.

LD 230

An Act Concerning Restructuring of School Districts

CARRIED OVER

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

LD 230, which is a concept draft pursuant to Joint Rule 208, proposes the restructuring of school districts within Aroostook County to provide for only one school administrative district for the county. The bill has been carried over to the Second Regular Session.

LD 262

An Act To Require That Disciplinary, Attendance and Health Records Be Included in the Records That Follow a Student Who Transfers to Another School

PUBLIC 472

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL CUMMINGS	OTP-AM	S-189

LD 262 proposed to require that when a student transfers from one school administrative unit to another, the school administrative unit from which the student is transferring must transfer the student's disciplinary records, attendance records and health records to the school administrators at the school administrative unit to which the student is seeking a transfer.

Committee Amendment "A" (S-189) proposed to retain the provisions of the bill and proposed to clarify that a student's health records, including records and information pertaining to HIV infection status, health care and treatment, mental health treatment and alcohol and other substance abuse treatment, may not be disseminated as part of a student's health records without the authorization or consent necessary under existing state statutes.

Enacted Law Summary

Public Law 2003, chapter 472 requires that when a student transfers from one school administrative unit to another, the school administrative unit from which the student is transferring must transfer the student's disciplinary records, attendance records and health records to the school administrators at the school administrative unit to which the student is seeking a transfer. The law also clarifies that a student's health records, including records and information pertaining to HIV infection status, health care and treatment, mental health treatment and alcohol and other substance abuse treatment, may not be disseminated as part of a student's health records without the authorization or consent necessary under existing state statutes.