

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

Rep. Barbara E. Merrill

Rep. Vaughn A. Stedman

Rep. Gerald M. Davis

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.

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1. It would require the State to pay 55% of the cost of funding essential education programs and services beginning in state fiscal year 2006-07.
2. It would provide to pay for increased state education funding by extending the general sales tax to amusements, extending the 7% sales tax to include rentals of boat moorings and docks and increasing the general sales tax to 5 1/2% beginning May 1, 2006.
3. It would provide that this Act would be subject to approval of the voters at a statewide referendum in November 2005.
4. It would provide an appropriations and allocations section to implement this Act.

LD 347 **An Act To Rename the Jobs for Maine's Graduates Program To Create InspireME** **INDEF PP**

<u>Sponsor(s)</u> BROMLEY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 347 proposed to change the name of the Jobs for Maine's Graduates program to InspireME to better reflect its mission and impact. The bill also proposed to make minor changes to the purpose and structure of the program.

LD 363 **Resolve, To Study the Feasibility of Establishing a Football Program at the University of Southern Maine** **ONTP**

<u>Sponsor(s)</u> TUTTLE DIAMOND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 363 proposed to direct the President of the University of Southern Maine to study the feasibility of establishing a football team at the University of Southern Maine and to report the findings to the Joint Standing Committee on Education and Cultural Affairs during the Second Regular Session of the 122nd Legislature.

LD 400 **An Act To Align Maine Special Education Complaint Management Provisions with the Federal Individuals with Disabilities Education Act** **PUBLIC 70**

<u>Sponsor(s)</u> TURNER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 400 proposed to allow a parent or school administrative unit has 30 days in which to challenge a complaint investigation report under current law. The United States Department of Education, Office of Special Education Programs has determined that the 30-day time limit impermissibly limits the right to initiate a hearing. This bill proposed to repeal the Maine Revised Statutes, Title 20-A, section 7206, subsection 4. Repealing this subsection

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would permit a party to request an administrative hearing on the same issues that were dealt with in a complaint investigation at any time.

Enacted law summary

Public Law 2005, chapter 70 repeals the Maine Revised Statutes, Title 20-A, section 7206, subsection 4 provision that an interested party has 30 days in which to challenge a complaint investigation report completed by the Commissioner of Education. Repealing this subsection will maintain the right of a parent or school administrative unit to request an administrative hearing on the same issues that were dealt with in a complaint investigation at any time.

LD 405 **Resolve, To Establish an Education Pilot Program for Registered Nurses** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN PERRY A	OTP-AM	S-100

LD 405 proposed to require the President of the Maine Community College System to establish a pilot program for the education of registered nurses who are interested in employment in long-term care. The pilot program would be operated at 4 community college locations across the State and would be funded equally from the Health Care Training Fund and from private donations.

Committee Amendment "A" (S-100) proposed to revise the pilot program proposed in the resolve to require the Maine Community College System to establish a pilot program for the education of individuals who are interested in enrolling as candidates in an entry-level nursing preparation program and who have also expressed the goal of attaining a license as a registered nurse. The proposed pilot program could also provide education for entry-level candidates for the nursing preparation program who are interested in future employment in long-term care as registered nurses. The proposed pilot program would be operated at 2 community college locations in the State. The amendment also proposed to require that a scholarship fund be established with private donations to provide eligible students with funds to participate in this pilot program and proposed to provide that the Maine Health Care Association and the Maine Community College System work together to provide leadership for raising these scholarship funds.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

LD 424 **An Act To Exempt Certain Religious, Nonpublic, Postsecondary Institutions from State Requirements for Degree-granting Authority** **PUBLIC 85**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY PLOWMAN	OTP-AM	H-128