

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.

Joint Standing Committee on Education and Cultural Affairs

LD 783 **An Act To Require That the Pupil Evaluation Team Set Graduation Standards for Special Education Students** **ONTP**

<u>Sponsor(s)</u> MARLEY MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 783 proposed to reestablish the role of the individual education plan as the controlling factor in determining the specific graduation requirements for special education students.

LD 784 **Resolve, Directing the Department of Education To Conduct a Fiscal Analysis of State Requirements That School Administrative Units Implement Local Assessment Systems** **ONTP**

<u>Sponsor(s)</u> GOLDMAN TURNER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 784 proposed to direct the Department of Education to conduct a fiscal analysis of the state requirement that each school administrative unit must adopt and implement a local assessment system. The Department of Education would have been required to submit its report to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2005.

LD 796 **An Act To Implement the Recommendations of the Commission To Study Public Health That Concern Schools, Children and Nutrition** **PUBLIC 435**

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-268
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LD 796 proposed implementing the recommendations of the Commission to Study Public Health concerning schools, children and nutrition. The bill proposed the following:

1. Requiring schools to provide nutrition education for students, teachers and staff and requiring a parent outreach component for nutrition education;
2. Requiring food and beverages sold or distributed on school grounds but outside of school meal programs to adhere to healthy foods and beverages standards established in statute and rule.
3. Requiring schools to post nutritional information for menu items;
4. Directing school boards to prohibit advertising of foods and beverages other than "healthy foods and beverages" on school grounds;