

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 887

An Act To Amend the Education Laws Regarding Equivalent Instruction, Medical Screening and Adult Education

PUBLIC 151

<u>Sponsor(s)</u> ANDREWS NORTON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-133
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LD 887 proposed allowing legal resident pupils of the unorganized territory to participate in regular classes and cocurricular and extracurricular activities in the school administrative unit that the pupil would regularly attend if the pupil were not receiving equivalent instruction. Tuition would be determined as with all students enrolled in an equivalent instruction program.

LD 887 proposed repealing the requirement that schools screen children for scoliosis and related spinal abnormalities.

LD 887 also proposed reducing paperwork and allowing school administrative units to directly receive subsidies for secondary school-age students being served through adult education. Currently, a school administrative unit is allowed to request subsidy only on those secondary school-age students who reside in that school unit.

Committee Amendment "A" (S-133) removes those sections in the bill that repealed the requirement that schools screen children for scoliosis and related spinal abnormalities and report results of screening to a student's parents. It also clarifies that a parent's approval is not needed for school superintendents to approve a transfer for the purposes of subsidy when the student is at least 18 years of age or an emancipated minor.

Enacted law summary

Public Law 2005, chapter 151 revises the statute regarding participation in public schools by students enrolled in equivalent instruction programs to include pupils who reside in the unorganized territory. It allows legal resident pupils of the unorganized territory to participate in classes and cocurricular and extracurricular activities in the school administrative unit that the pupil would regularly attend if the pupil were not receiving equivalent instruction. The law also revises a section of the adult education statute to provide a mechanism for a school administrative unit to directly receive subsidy for secondary school-age students being served through the adult education in the school administrative unit, regardless of the student's residency status.

LD 897

An Act To Improve the Quality of Kindergarten Education in Maine

ONTP

<u>Sponsor(s)</u> NUTTING J	<u>Committee Report</u> ONTP MAJ OTP-AM MIN	<u>Amendments Adopted</u>
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LD 897 proposed changing the date of when a person must be 5 years of age to enroll in school from October 15th to September 1st. It also proposed changing the date of when a person must be 4 years of age to enroll in a 2-year childhood education program prior to grade one from October 15th to September 1st.