

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 989 **Resolve, To Study the Insured Value Factor in School Tuition** **RESOLVE 38**

<u>Sponsor(s)</u> ANDREWS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-126
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LD 989 proposed directing the Department of Education jointly with public school officials and private school representatives to study the current application of the insured value factor and the need for its continuation in tuition computation and to submit a proposal to the Joint Standing Committee on Education and Cultural Affairs.

Committee Amendment "A" (S-126) proposed revisions to the resolve, requiring the Department of Education to convene a task force to study the insured value factor and specifying interests to be represented on the task force.

Enacted law summary

Resolve 2005, chapter 38 directs the Department of Education to convene a task force to study the current application of the insured value factor and assess the need for its continuation in tuition computation. The task force is directed to submit a proposal to the Joint Standing Committee on Education and Cultural Affairs no later than January 9, 2006. The Joint Standing Committee on Education and Cultural Affairs is authorized to introduce a bill related to the insured value factor to the Second Regular Session of the 122nd Legislature.

LD 1024 **Resolve, To Review and Recodify Laws Pertaining to Violence in Our Schools** **RESOLVE 120**

<u>Sponsor(s)</u> DAVIS G		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-393 S-382 GAGNON
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LD 1024 proposed allowing a school board to suspend a student for up to one year if the student engages in threatening or violent behavior against another student or a staff member or other school personnel. It proposed requiring school boards to establish a written policy and penalties and to provide a copy of the policy and penalties to all students.

Committee Amendment "A" (H-393) proposed replacing the bill with a resolve that directs the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to identify provisions in the Maine Revised Statutes, Title 20-A that pertain to violent and threatening behavior in schools and prepare a bill to make technical changes and reorganize these provisions for submission to the Second Regular Session of the 122nd Legislature.

Senate Amendment "A" to Committee Amendment "A" (S-382) proposed amending the resolve to conform with the Joint Rules and Standards for Legislative Studies adopted by the Legislative Council.

Enacted law summary

Joint Standing Committee on Education and Cultural Affairs

Resolve 2005, chapter 120 directs the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to identify provisions in the Maine Revised Statutes, Title 20-A that pertain to violent and threatening behavior in schools and prepare a bill to make technical changes and reorganize these provisions for submission to the Second Regular Session of the 122nd Legislature.

LD 1030 **An Act To Strengthen Certain Student Support Services within the
Maine Community College System** **PUBLIC 178**

<u>Sponsor(s)</u> NORTON		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1030 proposed to eliminate the Skill Standards Board. This bill also proposed to amend the Maine Career Advantage Program by enhancing its services to better meet the needs of the students the program was intended to reach, those students that are not traditionally considered college bound.

Enacted law summary

Public Law 2005, chapter 178 eliminates the Skill Standards Board and amends the Maine Career Advantage Program by enhancing its services to better meet the needs of the students the program was intended to reach, those students that are not traditionally considered college bound.

LD 1031 **RESOLUTION, Proposing an Amendment to the Constitution of
Maine Regarding the Funding of Local Schools** **ONTP**

<u>Sponsor(s)</u> VAUGHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1031 proposed an amendment to the Constitution of Maine to strike the words requiring that towns make suitable provision for the support and maintenance of schools. This resolution proposed to add language requiring the Legislature to support schools and proposed to seek to ensure that a program of uniform and high-quality education was established and continuously maintained at all schools in the State.

LD 1037 **An Act To Authorize Exemptions for Montessori Schools from
Certain Requirements** **PUBLIC 224**

<u>Sponsor(s)</u> GAGNON PINGREE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-178
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