

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

Staff:

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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

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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Joint Standing Committee on Education and Cultural Affairs

LD 1037 proposed authorizing the Commissioner of Education and the Commissioner of Health and Human Services to grant exemptions to accredited schools that ascribe to internationally recognized teaching philosophies from requirements that conflict with the basic tenets of those philosophies.

Committee Amendment "A" (S-178) proposed narrowing the authorization for the Commissioner of Health and Human Services to grant exemptions from certain licensing requirements for child care facilities and nursery schools only to accredited Montessori schools.

Enacted law summary

Public Law 2005, chapter 224 authorizes the Commissioner of Education and the Commissioner of Health and Human Services to grant exemption from certain licensing requirements for child care facilities and nursery schools to accredited Montessori schools.

LD 1048 **Resolve, Directing the State Board of Education To Review the Authorization Requirements for Educational Technicians** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT NORTON	ONTP	

LD 1048 proposed to direct the State Board of Education to review the authorization requirements for Educational Technician II and Educational Technician III positions and to consider establishing an alternative pathway for applicants to demonstrate fulfillment of those requirements.

LD 1055 **An Act To Require Academic and Community Input into Major Decisions of the University of Maine System** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER LERMAN		

LD 1055 proposed to require the University of Maine System to seek input from parties, including administration and faculty members of campuses and colleges, municipalities and the Maine Community College System, that are affected by a major policy decision by the University of Maine System. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.