

# 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 1194**

**An Act To Create an Academic Bill of Rights**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWEN	ONTP MAJ OTP-AM MIN	

LD 1194 proposed to create an academic bill of rights that would ensure an academic environment for both students and faculty members that allows freedom of political viewpoint, expression and instruction. This bill proposed to require all public postsecondary institutions in the State to publish this bill of rights and to adopt a grievance procedure to address complaints of violations of these rights. This bill also proposed to require public postsecondary institutions in the State to include in their hiring policies that the institutions would endeavor to ensure a diversity of political and philosophical viewpoints in faculty members and instructors and that the institutions could not discriminate in their hiring policies against applicants for a faculty position or instructorship for reasons of political or philosophical viewpoints.

**LD 1200**

**An Act To Establish a Uniform Private Facilities Tuition Rate Establishment Procedures**

**PUBLIC 153**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH	OTP-AM	H-292

LD 1200 proposed establishing a single rate-setting process for all tuition subject to approval by the Commissioner of Education and limiting tuition increases from one year to the next.

**Committee Amendment "A" (H-292)** proposed allowing the approval process used by private secondary schools receiving public funds to be used for approving other private schools to receive public funds.

***Enacted law summary***

Public Law 2005, chapter 153 establishes a single rate-setting process for all tuition subject to approval by the Commissioner of Education, including tuition for private special purpose education facilities that exclusively serve exceptional students and tuition for private general purpose schools that receive state aid for special education programs. Chapter 153 limits tuition increases from one year to the next. It also allows the approval process used by private secondary schools receiving public funds to be used for approving other private schools to receive public funds.