

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 1221 **Resolve, To Replace the Current Assessment Exams with a More Appropriate Test** **ONTP**

<u>Sponsor(s)</u> SAVIELLO NUTTING J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1221 proposed to direct the Department of Education to develop a more appropriate examination to replace the current examination under the Maine Education Assessment program and the intermediate grade level assessment given pursuant to the federal No Child Left Behind Act of 2001.

LD 1241 **An Act To Ensure Public Accountability in the Delivery of Higher Education Services** **ONTP**

<u>Sponsor(s)</u> MITCHELL DUPLESSIE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1241 proposed to require that prior to final adoption or implementation of any restructuring plan, the Board of Trustees of the University of Maine System must first submit the restructuring plan to the joint standing committee of the Legislature having jurisdiction over education matters, which would have had the authority to report out legislation to approve or reject the restructuring plan.

As emergency legislation, this bill proposed to apply to any restructuring plan developed or adopted by the Board of Trustees of the University of Maine System after September 1, 2004; and the requirements of any such plan would have been suspended and would not be implemented until legislation approving the restructuring plan takes effect.

LD 1251 **Resolve, To Establish a System for Verification of Proficiency for Prelingually Deaf Candidates for Teacher Certification** **RESOLVE 72**

<u>Sponsor(s)</u> EDMONDS PERCY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-235
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LD 1251 proposed to direct the Department of Education to adopt major substantive rules to establish a system for verifying the proficiency of prelingually deaf candidates for teacher certification.

Committee Amendment "A" (S-235) proposed to replace the resolve and proposed to require the State Board of Education to amend the teacher certification rules to provide an alternative means for prelingually deaf teacher certification candidates to demonstrate their proficiency. The amendment also proposed to suspend the limitation on targeted need certificates for prelingually deaf teachers to allow prelingually deaf teacher certification candidates more time to demonstrate their proficiency.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Resolve 2005, chapter 72 requires the State Board of Education to amend the teacher certification rules to provide an alternative means for prelingually deaf teacher certification candidates to demonstrate their proficiency. The resolve also suspends the limitation on targeted need certificates for prelingually deaf teachers to allow prelingually deaf teacher certification candidates more time to demonstrate their proficiency.

LD 1279 **Resolve, To Study Improving the Affordability and Predictability of College Tuition for Maine Students** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRINGTON SCHNEIDER	ONTP	

LD 1279 proposed to direct the University of Maine System to study the feasibility of freezing tuition for newly enrolled resident undergraduate students at the amount of tuition charged for the first year for those students. The resolve also proposed to direct the University of Maine System to study exceptions to the consecutive-year requirement and the establishment of a committee at each university campus to determine whether a student meets the requirements of an exception to the consecutive-year requirement.

LD 1295 **An Act To Establish the Maine Enterprise Commerce Center of Augusta** **ONTP**

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

LD 1295 proposed to establish the Maine Enterprise Commerce Center of Augusta within the University of Maine System to provide educational services, small business promotion and services and economic development resources, through an interactive television network, the Internet and other technology, to people throughout the State and to provide specific resources and information concerning economic issues of interest to central and northern Maine. The bill proposed to transfer the equipment and assets that are part of the interactive television network currently housed at the University of Maine at Augusta to the new center.

LD 1312 **Resolve, To Institute a State Magnet School for Languages** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS MITCHELL	ONTP	