

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

*August 2001*

**Members:**

*Sen. Betty Lou Mitchell, Chair*

*Sen. John M. Nutting*

*Sen. Margaret Rotundo*

*Rep. Shirley K. Richard, Chair*

*Rep. Mabel J. Desmond*

*Rep. James G. Skoglund*

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**120th Legislature  
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees  
August 2001**

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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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](http://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 **September 21, 2001**.

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101/107/135

## Joint Standing Committee on Education and Cultural Affairs

Public Law 2001, chapter 67 implements several recommendations of the Joint Study Committee to Study Bomb Threats in Maine Schools. The law requires the Department of Education to consult with certain state and local officials in developing prototypical guidelines, policies and protocols for school administrative units to use in developing local responses to school bomb threats. The law also requires school boards to report bomb threats to the Commissioner of Education; to develop school bomb threat policies and protocols consistent with the prototypical policy guidelines; and to include specific information addressing school bomb threat policies in their student handbooks.

Public Law 2001, chapter 67 was enacted as an emergency measure effective May 2, 2001.

### **LD 282**                      **An Act to Award High School Diplomas to World War II Veterans**                      **ONTP**

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

LD 282 proposed to permit a secondary school to award a diploma to a person who started secondary school between 1937 and 1946, left secondary school to serve in the Armed Forces of the United States, did not receive a diploma as a consequence of this service and received an honorable discharge.

The substance of this bill was also addressed by other bills referred to the Education Committee (see LD 21, which was enacted as P.L. 2001, c. 85, and LD 182).

### **LD 291**                      **An Act to Require Teaching of Maine Native American History and Culture in Maine's Schools**                      **PUBLIC 403**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LORING CATHCART	OTP-AM	H-666

LD 291 proposed to require that Maine Native American history and culture be taught in all elementary and secondary schools and requires the Department of Education to include Maine Native American history and culture in the system of learning results. This bill proposed to establish a commission to investigate and recommend how the Department of Education will accomplish this task.

**Committee Amendment "A" (H-666)** proposed to require that Maine Native American history and culture be taught in all elementary and secondary schools. The amendment also proposed to establish a study commission to identify and explore available materials and resources for Maine educators to use in implementing these instructional areas. The amendment proposed to authorize the Maine Indian Tribal-State Commission to carry out the study commission.

The amendment further proposed to require the study commission recommendations to include a plan to assist the Department of Education in helping school administrative units implement instruction in Maine Native American

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studies. The plan for assistance must be established by July 30, 2004 and implemented during the 2004-2005 school year. Finally, the amendment proposed to allow a school administrative unit to delay implementation of instruction in Maine Native American studies if implementation of the component topics can not be achieved within existing local resources and requires the Department of Education to develop a reporting mechanism that permits a school administrative unit to report such a delay to the department at no cost to the unit.

The amendment also proposed to add a fiscal note to the bill.

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### *Enacted law summary*

Public Law 2001, chapter 403 requires that Maine Native American history and culture be taught in all elementary and secondary schools and establishes a study commission to identify and explore available materials and resources for Maine educators to use in implementing these instructional areas. The law authorizes the Maine Indian Tribal-State Commission to carry out the study commission and requires the study commission recommendations to include a plan to assist the Department of Education in helping school administrative units implement instruction in Maine Native American studies. The plan for assistance must be established by July 30, 2004 and implemented during the 2004-2005 school year. Finally, the law allows a school administrative unit to delay implementation of instruction in Maine Native American studies if implementation of the component topics can not be achieved within existing local resources and requires the Department of Education to develop a reporting mechanism that permits a school administrative unit to report such a delay to the department at no cost to the unit.

**LD 329**                      **An Act to Increase the Number of Teachers**                      **ONTP**

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

LD 329 proposed to require the Department of Education, the State Board of Education and the University of Maine System to create a program to encourage retired military personnel to seek teacher certification and to teach in the State.

**LD 334**                      **An Act to Provide Incentives to Families Who Save for College**                      **ONTP**

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

LD 334 was re-referred from the Taxation Committee. The bill proposed to provide an income tax deduction for 10%, up to an aggregate maximum of \$2,000, of the amount contributed to a college savings account established under the Maine College Savings Program administered by the Treasurer of State and the Finance Authority of Maine. The bill also proposed to require the authority to provide information to the Department of Administrative and Financial Services, Bureau of Revenue Services for purposes of verifying eligibility for the deduction. The bill further proposed to make technical changes to resolve a conflict in the law.