

# 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*

*Rep. Elizabeth Watson*

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*Rep. Carol Weston*

*Rep. Mary Ellen Ledwin*

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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

LD 337

**Resolve, to Create a Study Commission on the Problems Created  
By Inadequate Funding for Special Education Services**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY BERRY R	ONTP	

LD 337, a concept draft pursuant to Joint Rule 208, proposed to create a study commission to examine the impact that inadequate funding levels for special education services, at both the state and federal levels, have on students, families and communities. Under the proposed resolve, the commission would have reported the results of its study and would have made appropriate recommendations to address its findings to the Second Regular Session of the 120th Legislature.

**LD 339**

**An Act to Address Violence in Schools**

**PUBLIC 189**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B RICHARD	OTP	

LD 339 proposed to include "engages in hostile, aggressive or threatening behavior toward a student, teacher, administrator or other staff member" in the crime of disturbing schools. The bill also proposed to indicate that if a person damages or destroys a school house or building the person commits a civil offense and damages are doubled. The bill also proposed to replace "reasonable time" with 45 working days for the time that a parent has to make good when a student loses or damages school property. After that time the municipality would collect the replacement costs, and the money collected would go to the municipality.

This bill proposed to strengthen the recourse to the authority who must deal with those who disrupt and vandalize the schools in our State.

### *Enacted law summary*

Public Law 2001, chapter 189 expands laws regarding the crime of disturbing schools to include engaging in hostile, aggressive or threatening behavior toward a student, teacher, administrator or other staff member if the offense is committed on school property. The law further provides that if a person damages or destroys a school house or building the person commits a civil offense and damages are doubled. The law also clarifies that a parent of a public school student has 45 working days to provide compensation for or to replace lost or damaged school books or appliances that were furnished to the student. After that time, the municipality shall collect the replacement costs of the lost or damaged property and the money collected must go to the municipality.