

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

Rep. Stephen C. Estes

Rep. Glenn Cummings

Rep. Vaughn A. Stedman

Rep. Mary Black Andrews

Rep. Carol Weston

Rep. Mary Ellen Ledwin

Rep. Donald G. Soctomah

Staff:

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Maine State Legislature
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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).

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 715

An Act to Change the Truancy Laws

INDEF PP

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

LD 715 proposed to amend the truancy laws to allow law enforcement officers to summons the parent or guardian of a truant student to appear in court. The court may order the student to attend school, hold the parent or guardian in contempt of court and suspend any state license issued to the parent or guardian for failing to comply with the court's orders related to the student's attendance at school.

Committee Amendment "A" (H-211) was the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment proposed to change the provision of the bill that proposed to require the District Court to order injunctive relief against a person who has control or is responsible for a habitual truant by reverting to existing law that provides the District Court with the discretion of ordering injunctive relief in such cases. The amendment was not adopted.

Committee Amendment "B" (H-614) was the majority report of the Joint Standing Committee on Education and Cultural Affairs (following the recommittal of the bill to the committee). The amendment accomplishes the following.

1. It strikes the provision of the bill that proposed to allow the court to suspend any state license issued to the parent or guardian of a student who is habitually truant for failing to comply with the court's orders related to the student's attendance at school.
2. It authorizes the court to suspend the driver's license, recreational license or work permit issued to a student who is habitually truant and repeals this authority on July 1, 2003.
3. It directs the Commissioner of Education's advisory committee on truancy, dropouts and alternative education to collect data on any penalties imposed by the court on habitual truants and to include recommendations concerning the need for extending authorization for these penalties in its annual report to be presented by February 1, 2003 to the Commissioner of Education and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs.
4. It changes the provision of the bill that proposed to require the court to order injunctive relief against a person who has control of or is responsible for a habitual truant by reverting to existing law that provides the court with the discretion of ordering injunctive relief in such cases.
5. It retains the provision of the bill that allows the court to order the student to attend school.

The amendment also proposed to add a fiscal note to the bill. The amendment was not adopted.

House Amendment "A" to Committee Amendment "B" (H-653) proposed to strike those provisions of the bill and Committee Amendment "B" that apply culpability for the truancy of the student to the parent or guardian, including:

1. Allowing a law enforcement officer to summons the parent or guardian to appear in court; and

Joint Standing Committee on Education and Cultural Affairs

2. Providing a civil violation for a parent or guardian who has control or primary responsibility for a habitually truant student.

The amendment also proposed to make changes to clarify that the injunctive relief ordered by the court applies only to the truant student. The amendment was not adopted.

LD 720 **An Act to Increase the Bonding Limit of the Trustees of the City of Brewer High School District from \$2,500,000 to \$5,000,000** **P & S 27**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER YOUNGBLOOD	OTP-AM	H-522

LD 720 proposed to increase the debt limit of the City of Brewer High School District from \$2,500,000 to \$5,000,000 subject to approval at referendum by the voters of the City of Brewer.

Committee Amendment "A" (H-522) proposed to make revisions to the bill to provide more permissive language to the bill to permit the trustees of the City of Brewer High School District to submit a referendum to the legal voters of the City of Brewer no later than December 31, 2001. The proposed referendum must only seek to increase the bonding limit of the school district from \$2,500,000 to \$5,000,000.

Enacted law summary

Private and Special Law 2001, chapter 27 permits the trustees of the City of Brewer High School District to submit a referendum to the legal voters of the City of Brewer no later than December 31, 2001 for the purpose of seeking to increase the bonding limit of the school district from \$2,500,000 to \$5,000,000.

LD 731 **An Act to Require Gun Safety Education** **ONTP**

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

LD 731 proposed to require gun safety education to be included in the curriculum of elementary schools.