

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:

<i>CARRIED OVER</i>	<i>Bill Carried Over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

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 1556

An Act to Protect Children from Internet Pornography

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPREY MITCHELL B	ONTP MAJ OTP MIN	

LD 1556 proposed to forbid an elementary or secondary school or school, state, institutional or public library from allowing a person under 18 years of age from accessing obscene or pornographic materials through the use of the school's or library's computer. The bill proposed to direct the Department of Education and the Maine State Library to collaborate in adopting rules to implement this bill.

LD 1557

An Act to Exempt the City of Waterville, the Town of Winslow and School Administrative District 47 and School Administrative District 49 from Lease Limitations on Educational Structures CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER GAGNON		

LD 1557 proposes to exempt the City of Waterville, the Town of Winslow and School Administrative District 47 and School Administrative District 49 from the limitations on including the lease of portable, temporary space or the lease or lease-purchase of temporary or permanent nonadministrative instructional space as eligible debt service costs for state subsidy. The proposed exemption would be provided solely for the purpose of establishing a regional alternative education program. The bill has been carried over to the Second Regular Session.

LD 1563

An Act to Amend School Immunizations Requirements

PUBLIC 326

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING R MITCHELL B	OTP-AM MAJ OTP-AM MIN	H-446

LD 1563 proposed to make technical changes to the laws pertaining to immunization requirements for school children and to allow specific disease and vaccine requirements to be adopted by rule rather than prescribed in statute.

Committee Amendment "A" (H-446), which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to repeal provisions that specify in statute the diseases for which an immunization certificate is required for enrollment in public or private elementary or secondary school and allow the Commissioner of Education and the Bureau of Health to specify those diseases in major substantive rules adopted jointly by those agencies. The amendment also proposed to repeal provisions that allow exemptions from immunization requirements for moral or other personal reasons, while leaving in the exemptions for medical, religious or philosophical reasons.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "B" (H-447), which was the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to list varicella, commonly known as "chicken pox," among the other diseases listed in statute for which an immunization certificate is required for enrollment in public or private elementary or secondary school. The amendment also proposed to make a technical correction by making the 2 definitions of "disease" consistent within the laws pertaining to immunization requirements for school enrollment and to repeal provisions that allow exemptions from immunization requirements for moral or other personal reasons while leaving in the exemptions for medical, religious or philosophical reasons.

Enacted law summary

Public Law 2001, chapter 326 repeals provisions that specify in statute the diseases for which an immunization certificate is required for enrollment in public or private elementary or secondary school and allows the Commissioner of Education and the Bureau of Health to specify those diseases in major substantive rules adopted jointly by those agencies. The law also repeals provisions that allow exemptions from immunization requirements for moral or other personal reasons, while leaving in the exemptions for medical, religious or philosophical reasons.

LD 1576 **Resolve, Directing the Department of Education to Revise its Rules Relating to School Lunch Program** **ONTP**

<u>Sponsor(s)</u> KILKELLY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1576 proposed to direct the Department of Education to revise its school lunch program as it pertains to the items on an a la carte menu.

LD 1580 **An Act to Fund the Implementation of Student Achievement Standards by Fulfilling the State Commitment to Fund 55% of Public Education Costs for Kindergarten to Grade 12** **CARRIED OVER**

<u>Sponsor(s)</u> KILKELLY ESTES		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1580 proposes to provide that the Legislature shall provide at least 55% of the cost of the total allocation from General Fund revenue sources by fiscal year 2006-07. Under this bill, the Legislature would be required to annually establish a minimum contribution level to achieve the 55% minimum contribution level. The bill proposes to establish a minimum contribution level of 45% for fiscal year 2001-02 and a minimum contribution level of 47% for fiscal year 2002-03. The bill further proposes to establish minimum contribution level targets over the next 4 fiscal years to achieve the 55% minimum contribution level by fiscal year 2006-07.

The bill also proposes to provide that the State must appropriate the necessary General Fund revenue to meet the minimum contribution levels established in order for the academic year 2002-03 deadline imposed on school