

# 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

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**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

## Joint Standing Committee on Education and Cultural Affairs

administrative units to achieve the system of learning results to remain in effect. If the minimum contribution levels are not achieved, then this deadline would become voluntary and the timeline for full implementation of the system of learning results is established at the discretion of school boards. The bill has been carried over to the Second Regular Session.

**LD 1592**                      **An Act to Offer Businesses and the Technical Colleges Incentives  
for Providing Workforce Health Care Training**                      **DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	OTP-AM    MAJ OTP-AM    MIN	S-312

LD 1592 proposed to direct the establishment of the Health Careers Incentive Program to encourage students to pursue a career in the field of health care. The program proposed to award scholarships to students at Maine's technical colleges in return for working in communities in need of health care workers.

The bill proposed to direct the establishment of the Health Workforce Retraining Program to make grants available to eligible health care businesses and organizations to provide training and retraining of health care employees to address changes in the health care workforce.

The bill also proposed to establish the Health Care Training Fund to be used for the purposes of the Health Careers Incentive Program and the Health Work Force Retraining Program.

**Committee Amendment "A" (S-312)** was the majority report of the committee. The amendment proposed to eliminate the Health Careers Incentive Program and proposed to change the Health Workforce Retraining Program from a grant program available to eligible health care businesses and organizations to a matching grant program that establishes education and training programs for eligible health care businesses and organizations that provide dollar-for-dollar matching funds and meet eligibility criteria established by rules of the Maine Technical College System. The amendment also proposed to provide a one-time appropriation of \$100,000 in fiscal year 2001-02 to establish the Health Workforce Retraining Program.

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

While this bill as amended died on adjournment, the substance of the bill, in the form of a one-time General Fund appropriation of \$80,000 in fiscal year 2001-02 to establish the Health Workforce Retraining Program, was included in the Part II budget bill (see P.L. 2001, c. 439, Part HHHH).

**LD 1595**                      **An Act to Increase the Number of Licensed Speech-Language  
Pathologists to Serve Maine Schools**                      **DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART	OTP-AM	S-284