

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

*May 2002*

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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number.

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:

- 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
PASSED..... Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

## Joint Standing Committee on Education and Cultural Affairs

2. The sum of \$7,000,000 to provide funds to be administered by the Board of Trustees of the University of Maine System and the Board of Trustees of the Maine Technical College System to public educational institutions for the purchase and installation of automatic sprinkler systems in dormitories. The grants may be awarded only to those institutions that demonstrate to the Board of Trustees of the University of Maine System and the Board of Trustees of the Maine Technical College System that reasonable progress has been made towards meeting the requirements of the federal Americans with Disabilities Act of 1990 on each institution's campus;
3. The sum of \$500,000 for the renovation of a building in the Portland area to establish a center for homeless teenagers; and
4. The sum of \$8,000,000 to renovate the Augusta East Campus Harlow Building.

**LD 2136**

**Resolve, Regarding Legislative Review of Amendments to Chapter 127, Instructional Program, Assessment and Diploma Requirements, a Major Substantive Rule of the Department of Education**

**RESOLVE 107**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM    MAJ	H-954
	OTP-AM    MIN	

LD 2136 proposed to approve amendments to Chapter 127: Instructional Program, Assessment and Diploma Requirements, a “provisionally adopted” major substantive rule of the Department of Education.

**Committee Amendment "A" (H-954)**, which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to authorize the "final adoption" of the "provisionally adopted" rule only if the rules are amended as follows.

1. The rule must be amended to delete the requirement that data presented from a local assessment system must meet applicable federal law and regulations. The provisionally adopted rule proposed to require that the standards for a local assessment system must meet applicable federal law and regulations.
2. The rules must be amended to delete the phase-in requirement established for awarding diplomas for secondary school students who had not taken one-half credit in Maine studies in grades 6, 7 or 8. The provisionally adopted rule proposed to establish a phase-in requirement -- prior to the 2006-07 school year -- for certain content standard subject areas in awarding diplomas for secondary school students. Under this requirement for the “social studies” content standard subject area, school boards shall adopt policies to phase in the new requirements for awarding diplomas, including the minimum requirement that a student who had not taken one-half credit in “Maine studies” in grades 6, 7 or 8 must do so before they could receive a secondary school diploma.
3. The rules must be amended to correct a reference to a special education student’s “Individualized Education Plan.”

## Joint Standing Committee on Education and Cultural Affairs

4. The rules must be amended to correct references to specific content standard subject areas.

The amendment also proposed to add a fiscal note.

### *Enacted law summary*

Resolve 2001, chapter 107 authorizes the "final adoption" of amendments to the provisionally adopted, major substantive rule of the Department of Education concerning instructional program, assessment and diploma requirements. This rule repeals and replaces the existing Chapter 127 rules on "Instructional Requirements and Graduation Standards" with a revised set of "minimum" requirements that the school boards of each school administrative unit must meet in aligning the school unit's basic instructional requirements with the system of Learning Results. The rule specifies instructional program requirements for each school unit's comprehensive education plan, including instruction for elementary, middle and secondary school students; the local assessment system requirements for students and schools and the awarding of diplomas based on student performance on the school unit's local assessment system.

**LD 2142**

**An Act to Change the Governing Board of the George Stevens Academy in Blue Hill**

**P & S 61  
EMERGENCY**

Sponsor(s)  
VOLENIK

Committee Report  
OTP-AM

Amendments Adopted  
H-921

LD 2142 proposed to make changes to the composition of the board of trustees of the George Stevens Academy in the Town of Blue Hill. The bill also proposed to repeal the provision providing for a joint committee between the academy and nearby towns.

**Committee Amendment "A" (H-921)** proposed to require the Board of Trustees of the George Stevens Academy to amend its Articles of Incorporation on file with the Secretary of State within 30 days of the effective date of the bill.

### *Enacted law summary*

Private and Special Law 2001, chapter 61 makes changes to the composition of the board of trustees of the George Stevens Academy in the Town of Blue Hill. The law also repeals the provision providing for a joint committee between the academy and nearby towns.

Private and Special Law 2001, chapter 61 was enacted as an emergency measure effective April 1, 2002.