

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

July 2003

Staff:

*Phillip D. McCarthy, Legislative Analyst
Nicole A. Dube, Legislative Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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 PURSUANT TO HP 1212</i> | <i>Bills carried over to the 2nd 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>P&S XXX</i> | <i>Chapter # of enacted Private & Special Law</i> |
| <i>PASSED</i> | <i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (H-239) proposed to expand the membership of the commission to include one principal, one superintendent and one school board member. The amendment also proposed to require that at least one legislative appointee to the commission has experience in the field of education. It would also require the solicitation and use of outside funding to cover all costs of the commission.

House Amendment "A" to Committee Amendment "A" (H-599) proposed to change the appointing authority for members, specify that the commission may hold up to 4 meetings and change language regarding compensation and funding. The amendment also proposed to remove the emergency preamble and emergency clause from the resolve.

Enacted Law Summary

Resolve 2003, chapter 85 establishes the 15-member Commission to Study the Scope and Quality of Citizenship Education. The commission is required to solicit and use outside funding to cover all its costs. The commission is also required to submit its report to the Second Regular Session of the 121st Legislature no later than December 3, 2003 and is authorized to submit a bill to the Legislature at the time of submission of its report.

Resolve 2003, chapter 85 was passed as an emergency measure effective June 23, 2003.

LD 442 **Resolve, Directing the President of Each University Campus To Meet With Local Municipal Officers To Negotiate Reasonable and Appropriate Financial Support for Municipal Services Provided** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| KNEELAND WOTTON | ONTP | |

LD 442 proposed to direct the president of each university within the University of Maine System to meet with the municipal officers of the host municipality of each respective university campus to negotiate reasonable and appropriate financial support for municipal services provided to each campus.

LD 477 **An Act To Establish the Maine Week of Heroes** **PUBLIC 56**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| VAUGHAN EDMONDS | OTP | |

LD 477 proposed to encourage each political subdivision and school administrative unit to observe a Maine Week of Heroes during the week within which September 11th occurs, to honor the efforts of heroic people in Maine communities.

Joint Standing Committee on Education and Cultural Affairs

Enacted Law Summary

Public Law 2003, chapter 56 encourages each political subdivision and school administrative unit to observe a Maine Week of Heroes, during the week within which September 11th occurs, to honor the efforts of heroic people in Maine communities.

LD 499 **An Act To Allow a Parent To Choose Not To Vaccinate a Child
against Chicken Pox for School Attendance** **ONTP**

| | | | | |
|-----------------------------|--|---------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> MCNEIL | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|-----------------------------|--|---------------------------------|--|---------------------------|

LD 499 proposed to allow a parent to choose not to immunize a child against chicken pox, which is a requirement for enrollment in elementary and secondary school in the State effective for the start of 2003 school year.

LD 527 **An Act To Improve the Method of Reapportionment of School
Boards** **PUBLIC 57
EMERGENCY**

| | | | | |
|--|--|--------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> NUTTING GAGNON | | <u>Committee Report</u> OTP | | <u>Amendments Adopted</u> |
|--|--|--------------------------------|--|---------------------------|

LD 527 proposed to provide additional options to the board of directors of a school administrative district that is instituting an approved reapportionment plan that requires a reduction in the number of directors to be elected to represent a member municipality. Under current law, if a school administrative district requires reapportionment that results in a reduction in the number of directors, all of the directors choose by lot which directors' terms terminate. To avoid the necessity of the existing directors representing the municipality having to cast lots to determine which director or directors position should be terminated in accordance with the reapportionment plan, the bill proposed to allow one or more directors to voluntarily resign to achieve the necessary reduction and proposed to allow the municipality to reduce the number of open positions prior to election.

Enacted Law Summary

Public Law 2003, chapter 57 provides two additional options to the board of directors of a school administrative district that is instituting an approved reapportionment plan that requires a reduction in the number of directors to be elected to represent a member municipality. To avoid the necessity of the existing directors representing the municipality having to cast lots to determine which director or directors position shall terminate in accordance with the reapportionment plan, the law allows one or more directors to voluntarily resign to achieve the necessary reduction and allows the municipality to reduce the number of open positions prior to election.

Public Law 2003, chapter 57 was enacted as an emergency measure effective April 18, 2003.