

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

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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.

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Joint Standing Committee on Education and Cultural Affairs

LD 541

**An Act To Ensure Timely Responses to Requests for School
Administrative District Reapportionments**

**PUBLIC 354
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL LEDWIN	OTP-AM	S-174

LD 541 proposed to require the Commissioner of Education to make a determination whether a school district needs to be reapportioned within 30 days of receiving a request by the board of directors or a petition from district voters.

Committee Amendment "A" (S-174) proposed to strike and replace the bill to add a mandate preamble, emergency preamble and clause to the bill and to clarify the duties of the Commissioner of Education in ordering the establishment of a reapportionment committee. The amendment proposed to retain the original provision of the bill that would require the Commissioner of Education to make a determination whether a school district needs to be reapportioned within 30 days of receiving a request by the board of directors or a petition from district voters.

Enacted Law Summary

Public Law 2003, chapter 354 requires the Commissioner of Education to make a determination whether a school administrative district needs to be reapportioned within 30 days of receiving a request by the board of directors or a petition from district voters. The law also clarifies the duties of the Commissioner of Education in ordering the establishment of a reapportionment committee.

Public Law 2003, chapter 354 was enacted as an emergency measure effective May 30, 2003.

LD 553

**Resolve, To Study the Needs of Deaf and Hard-of-hearing Children
and Adolescents**

RESOLVE 84

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS SMITH W	OTP-AM	H-553 RICHARDSON J H-590 DUPLESSIE S-182

LD 553 proposed to establish the Task Force to Study the Needs of Deaf and Hard-of-hearing Children and Adolescents.

Committee Amendment "A" (S-182) proposed to add 6 members to the Task Force to Study the Needs of Deaf and Hard-of-hearing Children and Adolescents. It proposed to clarify the duties of the task force regarding mental health services and educational services.

House Amendment "A" (H-590) proposed to remove the emergency preamble and emergency clause from the resolve.

House Amendment "A" to Committee Amendment "A" (H-553) proposed to change who appoints the 11 public members of the task force from the Governor to the Speaker of the House and the President of the Senate,

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who would appoint 5 and 6 members respectively. The amendment proposed to authorize the task force to hold up to 4 meetings. It also proposed to allow public members of the task force to receive a per diem upon a demonstration of financial hardship and to change the reporting date from December 10, 2003 to December 3, 2003.

Enacted Law Summary

Resolve 2003, chapter 84 establishes the Task Force to Study the Needs of Deaf and Hard-of-hearing Children and Adolescents. The task force is composed of 4 legislators, 11 members of the public, the Commissioner of Human Services, the Commissioner of Education and the Commissioner of Behavioral and Developmental Services. The task force is authorized to meet up to 4 times and is required to submit a report, including suggested legislation, to the 2nd Regular Session of the 121st Legislature no later than December 3, 2003.

LD 592 **An Act Regarding Age Eligibility for Enrollment in a Public Secondary School** **PUBLIC 116 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN MARLEY	OTP	

LD 592 proposed to authorize the Commissioner of Education to waive on a case-by-case basis age requirements to allow students who have reached 20 years of age before the start of the school year to enroll as public secondary school students.

Enacted Law Summary

Public Law 2003, chapter 116 authorizes the Commissioner of Education to waive, on a case-by-case basis, age requirements to allow students who have reached 20 years of age before the start of the school year to enroll as public secondary school students.

Public Law 2003, chapter 116 was enacted as an emergency measure effective May 8, 2003.

LD 597 **An Act To Establish a Community College System in Maine** **ONTP**

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

LD 597 proposed to transform the Maine Technical College System into the Maine Community College System and provide funds necessary to support the transition to a comprehensive community college system.

The substance of this bill was also addressed by another bill referred to the Education Committee (see LD 1369) and was enacted as part of the Part I budget bill (see LD 1319, which was enacted as P.L. 2003, c. 20, Part OO).

LD 624 **Resolve, Directing the Department of Education to Use Money for** **ONTP**