

# 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](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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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*

**School Transportation Costs for Payment of School Crossing Guards**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUSLOVIC EDMONDS	ONTP	

LD 624 proposed to require the Department of Education to adopt major substantive rules for the apportionment of money for school transportation costs to pay for school crossing guards.

**LD 628                      Resolve, Directing the Department of Education To Develop                      RESOLVE 10**  
**Guidelines for Outdoor Playground Surfaces**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN HALL	OTP-AM	H-150

LD 628, a resolve, proposed to require the Department of Education to adopt policy standards for outdoor playground surfaces at public schools.

**Committee Amendment "A" (H-150)** proposed to change the title and proposed to strike and replace the original resolve with a resolve that would require the Department of Education to develop and communicate policy guidelines for outdoor playground surfaces at public schools.

***Enacted Law Summary***

Resolve 2003, chapter 10 requires the Department of Education to develop and communicate policy guidelines for outdoor playground surfaces at public schools.

**LD 641                      An Act To Implement a Recommendation of the Commission on                      ONTP**  
**Fatherhood Issues Related to Parental Notice of School Activities**  
**and Programs**

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

Current law provides that, upon written request and with the agreement of both the custodial parent and the school administrative unit, a school may provide written notification of all school activities and programs for which parental participation, involvement, notification or awareness is in the best interest of the student. LD 641 proposed to implement one of the recommendations of the Commission on Fatherhood Issues related to the notification provided to a noncustodial parent regarding that parent's child's school activities and programs. Under this proposed bill, a school administrative unit must provide a noncustodial parent with written notification of the child's school activities and programs when the noncustodial parent submits a copy of a court order awarding

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parental rights and responsibilities that includes a statement that the noncustodial parent must have access to records and information pertaining to the minor child's school records and other information on school activities.

The bill also proposed to include an exception provision to providing notification to a noncustodial parent. Under the proposed bill, upon the written request of a custodial parent that states the reasons why written notification of school activities and programs is not in the best interests of the child, the superintendent or the superintendent's designee in the school administrative unit where the child is enrolled may deny providing notification to the noncustodial parent who has submitted a request for that notification.

**LD 653**                      **An Act To Repeal the Fingerprinting Requirement for Teachers and School Employees**                      **DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS G CATHCART	ONTP      MAJ OTP-AM    MIN	

LD 653 proposed to repeal the law requiring background checks and fingerprinting of school employees. This bill also proposed to correct cross-references to the repealed provisions.

**LD 660**                      **An Act To Create the Maine Humanities Authority**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP MARTIN	ONTP	

LD 660 proposed to create the Maine Humanities Authority and give the authority bonding authority for the purpose of financing, protecting or acquiring works of art, literature, archives and library acquisitions.

**LD 687**                      **An Act To Allow Home Schooled Athletes To Play on Private School Teams**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEIDRICH BLAIS	ONTP	

LD 687 proposed to allow a home schooled student to participate in an interscholastic, cocurricular or extracurricular activity at a private school. The bill further proposed to allow a student enrolled in a private school to participate in an interscholastic, cocurricular or extracurricular activity at another private school if the student's school does not provide the activity. This bill also proposed to forbid interscholastic organizations to deny the eligibility of a student or that student's team or school in an interscholastic, cocurricular or extracurricular activity because the student is home schooled but participating with a private school and forbid public schools from belonging to such interscholastic organizations.