

# 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.

**David C. Elliott, Director**  
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*Joint Standing Committee on Education and Cultural Affairs*

**LD 1130**

**An Act To Protect Children from Classes Contradictory to Their Religious Beliefs**

**ONTP**

<u>Sponsor(s)</u> DUPREY B		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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Current law and rules of the Department of Education include accommodation provisions for instances when course content conflicts with sincerely held religious beliefs and practices of a student or a student's parent or guardian. LD 1130 proposed to provide the procedures by which a student may be granted an excused absence from a course when course content conflicts with sincerely held religious beliefs and practices of the student or of the student's parent or guardian. The bill also proposed to provide the instructional alternatives available to such students and the procedures for receiving academic credit for these instructional alternatives. The bill also proposed to require the Commissioner of Education to establish or amend rules to accomplish this purpose.

**LD 1133**

**Resolve, To Establish the Study Committee to Study the Feasibility of a 4-year High School Vocational Program**

**ONTP**

<u>Sponsor(s)</u> ANNIS MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1133 proposed to establish a study commission to study the feasibility of providing a technical high school setting for middle school students to attend after they complete 8th grade.

**LD 1198**

**An Act Regarding the Criminal History Record Check of School Employees**

**ONTP**

<u>Sponsor(s)</u> MAYO MURPHY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1198 proposed to provide that, beginning with the 2003-2004 school year, only newly hired school employees would be subject to the fingerprinting and criminal history record check requirements. The bill also proposed to provide that former school employees who left a school administrative unit in the State due to a sincerely held philosophical belief against the fingerprinting and criminal history record check requirement, and who subsequently return to school employment, would be exempted from the criminal history record check requirement for newly hired school employees. The bill also proposed to authorize the Maine State Police and the Commissioner of Education to release certain general information relating to the fingerprinting and criminal history record checks of educational personnel.