

# 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](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**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Education and Cultural Affairs*

6. Provides that the authority may use a single master promissory note for multiple disbursement of loans under the program.

**LD 1344                    An Act To Give Teachers a Greater Voice in School Improvement    CARRIED OVER**

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

LD 1344 proposes to redefine as "working conditions" several specific issues that case law has identified as "educational policy." This modification to the bargaining law would allow school districts and school employees to negotiate such issues as preparation and planning time, work assignments and procedures for the evaluation of teachers. The bill has been carried over to the Second Regular Session.

**LD 1355                    An Act To Increase State Funding for Renovation, Repair and                    ONTP  
Replacement of Schools for Local Communities by Limiting the  
State's Debt Limit for New School Construction**

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

LD 1355 proposed that the Commissioner of Education be required to transfer debt service funds to be used to provide additional state subsidy to be distributed to school administrative units to offset school repair, replacement and renovation costs to increase the state share of school renovation, repair and replacement costs. The bill, in essence, proposed to freeze the debt service limit for state-supported school construction projects to the \$80,000,000 debt service limit established for fiscal year 2002-03; and, between fiscal year 2003-04 and fiscal year 2006-07, require the Commissioner of Education to transfer an increasing percentage of debt service funds to the foundation allocation component of the general purpose aid for local schools program. The bill also proposed to provide for a transfer of \$8,000,000 in fiscal year 2003-04 and an additional \$12,600,000 in fiscal year 2004-05 from the state debt service allocation to the School Revolving Renovation Fund to increase the state share of school renovation, replacement and repair costs.

**LD 1365                    An Act To Assist Maine Educators in Meeting the Quality                    CARRIED OVER  
Requirements of the Federal Elementary and Secondary Education  
Act of 1965**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE LAFOUNTAIN		

LD 1365 proposes to require the Department of Education to provide Maine educators with a range of options for demonstrating their proficiency and to assist Maine educators in meeting the requirements of the federal Elementary

## *Joint Standing Committee on Education and Cultural Affairs*

and Secondary Education Act of 1965, as amended by the federal No Child Left Behind Act of 2001. The bill proposes to accomplish the following:

1. It proposes to require the Department of Education to adopt or amend rules for the program of technical assistance;
2. It proposes to require the Department of Education to notify by mail, by May 1, 2003, every person who is certified to teach or authorized to be employed as an educational technician in this State of the new requirements of and the deadlines for complying with the federal Elementary and Secondary Education Act 1965.
3. It proposes to require the Department of Education to convene, not later than June 1, 2003, an advisory committee, the majority of members of which are practicing classroom teachers and practicing educational technicians, to identify the needs imposed on Maine educators and Maine schools by the federal Elementary and Secondary Education Act of 1965's educator quality provisions and to recommend actions by the Department of Education and the Legislature to assist educators in meeting those needs. The advisory committee shall present a report on its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 2003.
4. It proposes to require the Department of Education to compile and publish on its website a database of programs accredited or recommended to assist educators in meeting the teacher quality requirements of the federal Elementary and Secondary Education Act of 1965 and other information about professional development funding, grants and other resources available to assist them in meeting these requirements.

The bill has been carried over to the Second Regular Session.

**LD 1369**

**An Act To Establish the Maine Community College System**

**ONTP**

Sponsor(s)  
DAGGETT  
COLWELL

Committee Report  
ONTP

Amendments Adopted

LD 1369 proposed to amend the Maine Revised Statutes to reflect the transformation of the Maine Technical College System into the Maine Community College System. The bill proposed to change statutory references from "technical" college or system to "community." The bill also proposed to amend the laws governing the Maine Career Advantage program to align its services with the Maine Community College System.

The substance of this bill was also addressed by another bill referred to the Education Committee (see LD 597) 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).