

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

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*Maine State Legislature*



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

*121st Maine Legislature  
Second Regular Session and  
Second Special 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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:

- CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE ..... Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES..... House & Senate disagree; bill died
- DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died
- EMERGENCY ..... Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
- FAILED MANDATE ENACTMENT ..... Bill imposing local mandate failed to get 2/3 vote
- NOT PROPERLY BEFORE THE BODY ..... Ruled out of order by the presiding officers; bill died
- INDEF PP ..... Bill Indefinitely Postponed
- ONTP..... Ought Not To Pass report accepted
- OTP-ND ..... Committee report Ought To Pass In New Draft
- P&S XXX..... Chapter # of enacted Private & Special Law
- PASSED..... Joint Order passed in both bodies
- PUBLIC XXX..... Chapter # of enacted Public Law
- RESOLVE XXX..... Chapter # of finally passed Resolve
- UNSIGNED..... Bill held by Governor
- VETO SUSTAINED ..... Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

**LD 1365**

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

**ONTP**

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

LD 1365 was carried over from the First Regular Session and proposed to require that the Department of Education 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 and Secondary Education Act of 1965, as amended by the federal No Child Left Behind Act of 2001.

The bill proposed to require that the Department of Education adopt or amend rules for the program of technical assistance.

The bill also proposed to require that the Department of Education 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.

The bill further proposed to require that the Department of Education 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 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 would have presented a report on its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 2003.

Lastly, the bill proposed to require that the Department of Education 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 those requirements.

**LD 1641**

**An Act To Require That Rules Pertaining to Reimbursement for Services for Child Development Services Be Major Substantive Rules**

**ONTP**

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

LD 1641, which was referred to the Joint Standing Committee on Health and Human Services, proposed to require that rules adopted by the Commissioner of Education pertaining to reimbursement to providers of services to children and families under the Maine Revised Statutes, Title 20-A, chapter 307-A be major substantive rules.