

# 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*

*May 2004*

**Members:**

*Sen. Neria R. Douglass, Chair*

*Sen. Michael F. Brennan*

*Sen. Betty Lou Mitchell*

*Rep. Glenn A. Cummings, Chair*

*Rep. Rosita Gagne-Friel*

*Rep. Jacqueline R. Norton*

*Rep. Jonathan Thomas*

*Rep. Edward D. Finch*

*Rep. Jeremy Fischer*

*Rep. Mary Black Andrews*

*Rep. Thomas W. Murphy, Jr.*

*Rep. Mary Ellen Ledwin*

*Rep. Gerald M. Davis*

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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
ONT P.....	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*

**Offices located in Room 215 of the Cross Office Building**

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

**LD 1915**

### **Resolve, To Implement the Recommendations of the Commission To Study the Scope and Quality of Citizenship Education**

**RESOLVE 143**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-800 S-574 GAGNON

LD 1915 proposed to implement the following recommendations of the Commission to Study the Scope and Quality of Citizenship Education:

1. That the Department of Education shall consider the recommendations of the Commission to Study the Scope and Quality of Citizenship Education related to implications for the system of learning results when it reviews the guiding principles, the performance standards and the content indicators of the system of learning results, beginning with the 2003-2004 school year;
2. That the Legislative Youth Advisory Council, as part of the effort recommended by the commission to foster a statewide dialogue regarding civic education and citizenship engagement, shall conduct a series of statewide public forums on issues important to youth and invite Legislators from the various regions of the State to these public forums. The Legislative Youth Advisory Council shall report its findings and any conclusions to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters, the Judicial Department and the Task Force on Citizenship Education; and
3. That the Department of Education and the State Board of Education jointly shall convene the Task Force on Citizenship Education to address the recommendations of the Commission to Study the Scope and Quality of Citizenship Education.

**Committee Amendment "A" (H-800)** proposed to incorporate a fiscal note to the bill.

**Senate Amendment "A" (S-574)** proposed to add language requiring the Legislative Youth Advisory Council to seek outside funding for the statewide public forum for youth. The amendment also proposed to prohibit the Legislative Youth Advisory Council from incurring any expense for the forum unless full funding is secured first and proposed to give the authority to administer those funds to the Edmund S. Muskie School of Public Service. The amendment further proposed to make changes to conform provisions of the bill to study guidelines approved by the Legislative Council.

#### ***Enacted Law Summary***

Resolve 2003, chapter 143 implements the recommendations of the Commission to Study the Scope and Quality of Citizenship Education. The law accomplishes the following:

1. It directs the Department of Education to consider the recommendations of the commission related to implications for the system of learning results when it reviews the guiding principles, the performance standards and the content indicators of the system of learning results, beginning with the 2003-2004 school year;

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

2. It directs the Legislative Youth Advisory Council to seek outside funding to conduct a series of statewide public forums on issues important to youth and to invite Legislators from the various regions of the State to these public forums; and further requires the Legislative Youth Advisory Council to report its findings and any conclusions to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters, the Judicial Department and the Task Force on Citizenship Education; and
3. It directs the Department of Education and the State Board of Education to jointly convene a Task Force on Citizenship Education to address the recommendations of the Commission.

**LD 1917**

### **An Act To Implement the Recommendations of the Legislative Youth Advisory Council**

**PUBLIC 708**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-856 S-599 CATHCART

LD 1917 proposed to implement the recommendations of the Legislative Youth Advisory Council and was submitted pursuant to the Maine Revised Statutes, Title 3, section 168-A, subsection 1, paragraph E. The bill proposed to accomplish the following:

1. It provides that, if the Department of Human Services and a state ward agree that an extension is needed, the State may provide care and support until the ward reaches 23 years of age. Current law requires that state-supported services to state wards end not later than 21 years of age and, therefore, may impede the completion of postsecondary educational study by those persons;
2. It directs the Department of Human Services, the Department of Behavioral and Developmental Services and the Department of Education to study and report back to the Legislative Youth Advisory Council on ways to increase participation in school activities by students residing with other than the parent or parents;
3. It directs the Secretary of State and the Department of Human Services to study and report back to the Legislative Youth Advisory Council on barriers that may exist for youth residing in group homes in obtaining driver's licenses and methods to overcome those barriers; and
4. It shifts responsibility for staffing support of the council from the Edmund S. Muskie School of Public Service to the Legislative Council and for funding the costs of the council from the Edmund S. Muskie School of Public Service to the Legislature in fiscal year 2005-06.

**Committee Amendment "A" (H-856)** proposed to clarify the proposal in the bill related to the continued provision of state support for state wards who are still enrolled in postsecondary education programs when they reach 21 years of age. The amendment proposed to authorize the Department of Human Services, at its discretion and by agreement with a state ward, to continue providing support for room, board and related education expenses until that state ward reaches 23 years of age. Funds allocated to provide support would come from an identified education and training account specifically established for the postsecondary education-related costs of state wards after they reach age 21 and before they reach age 23. This amendment also adds an appropriations and allocations section.