

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

August 2005

Members:

Sen. Elizabeth H. Mitchell, Chair

Sen. Elizabeth M. Schneider

Sen. Karl W. Turner

Rep. Jacqueline R. Norton, Chair

Rep. Edward D. Finch

Rep. Elaine Makas

Rep. Emily Ann Cain

Rep. Connie Goldman

Rep. Barbara E. Merrill

Rep. Vaughn A. Stedman

Rep. Gerald M. Davis

Rep. Peter Edgecomb

Rep. Scott E. Lansley

Staff:

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

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LD 116 **An Act To Ensure Funding for After-school Programs** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW COWGER	ONTP	

LD 116 proposed to establish the after-school program as an ongoing program to be implemented and administered by the Department of Education. This bill also proposed to require the ongoing funding for the after-school program to be equal to 0.5% of the annual General Fund appropriation for kindergarten to grade 12 public education.

LD 158 **An Act To Validate Collective Bargaining Provisions That May Affect Education Policies** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	ONTP	

LD 158 proposed to amend the restriction in current law that prohibits public employers of teachers in the course of collective bargaining from negotiating over education policies. This bill proposed to maintain that restriction but provides that if provisions in collective bargaining agreements are found to control matters of education policy, then those provisions would remain in effect for the term of the agreement.

LD 186 **An Act To Provide Certain Students with Full Tuition for State Institutions of Higher Learning** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISCHER MITCHELL	ONTP	

LD 186 proposed to provide full tuition to any state postsecondary educational institution for the top 10% of students graduating from the Maine School of Science and Mathematics.

LD 187 **An Act To Delay Certain Educational Assessment Requirements** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS ROTUNDO	ONTP	

LD 187 proposed to delay until the end of the 2009-2010 school year the implementation of graduation decisions at public high schools and certain private high schools being made on the basis of student achievement of the

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standards of the system of learning results. The bill also proposed to require the Department of Education to submit a report to the Second Regular Session of the 122nd Legislature by January 2006 on the impact of the local assessment system in regard to capacity, cost and needed resources.

LD 200 **An Act To Improve Teaching and Learning Conditions in Maine Schools** **CARRIED OVER**

<u>Sponsor(s)</u> NORTON TURNER		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 200, which was a concept draft pursuant to Joint Rule 208, proposed to alleviate burdens, caused by the workloads created because teachers have to satisfy school reform mandates, by enhancing teaching and learning conditions in Maine schools. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 247 **An Act To Limit Terms for Members of the State Board of Education** **PUBLIC 16**

<u>Sponsor(s)</u> FINCH TURNER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 247 proposed to limit the number of terms of office for members of the State Board of Education to 2 5-year terms, which need not be consecutive, beginning with new appointments by the Governor at the expiration of the current board members' terms of office.

Enacted law summary

Public Law 2005, chapter 16 limits the number of terms of office for members of the State Board of Education to 2 5-year terms, which need not be consecutive, beginning with new appointments by the Governor at the expiration of the current board members' terms of office.

LD 300 **An Act To Provide a Schedule of School Funding That Provides 55% State Coverage of the Cost of Essential Programs and Services over a Period of 2 Years** **ONTP**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 300 was reported out by the Joint Select Committee on Property Tax Reform. The bill proposed to accomplish the following.