

# 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*

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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.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 556**                      **An Act To Require School Unions To Provide Transportation for Students**                      **ONTP**

<u>Sponsor(s)</u> PIOTTI		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 556 proposed to require school unions to provide transportation for the unions' elementary and secondary school students.

**LD 564**                      **An Act To Amend the Laws Governing the Student Code of Conduct**                      **PUBLIC 307**

<u>Sponsor(s)</u> GROSE STRIMLING		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-333
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LD 564 proposed to add to the requirements for school boards' student codes of conduct by including in the description of unacceptable behavior bullying, harassment and sexual harassment; including counseling as part of the procedures concerning the removal of disruptive or violent students; and including training of students in ways to prevent and identify bullying, harassment and sexual harassment.

**Committee Amendment "A" (H-333)** proposed to replace the bill. It proposed to require school boards to establish policies to address bullying, harassment and sexual harassment. It proposed to direct a subcommittee of the Children's Cabinet to develop model policies, materials for communicating and implementing the model policies and training modules specific to recognizing and addressing bullying, harassment and sexual harassment. It proposed to direct the subcommittee to complete its work by February 15, 2006 and school administrative units to have policies and procedures in place by September 1, 2006.

*Enacted law summary*

Public Law 2005, chapter 307 requires school boards to establish policies to address bullying, harassment and sexual harassment. It directs a subcommittee of the Children's Cabinet to develop model policies, materials for communicating and implementing the model policies and training modules specific to recognizing and addressing bullying, harassment and sexual harassment. It directs the subcommittee to complete its work by February 15, 2006 and school administrative units to have policies and procedures in place by September 1, 2006.

**LD 578**                      **An Act To Amend the Charter of the Portland Public Library**                      **P & S 16  
EMERGENCY**

<u>Sponsor(s)</u> STRIMLING		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-104
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*Joint Standing Committee on Education and Cultural Affairs*

LD 578 proposed to remove the annual cap on appropriations the City of Portland may make in support of the library and its operations.

**Committee Amendment "A" (S-104)** proposed to add an emergency preamble and an emergency clause to the bill.

***Enacted law summary***

Private and Special Law 2005, chapter 16 removes the annual cap on appropriations the City of Portland may make in support of the library and its operations.

Private and Special Law 2005, chapter 16 was enacted as an emergency measure effective May 20, 2005.

**LD 594**

**An Act To Promote Education in the Unorganized Territory**

**PUBLIC 30**

Sponsor(s)  
PERRY A  
DAMON

Committee Report  
OTP

Amendments Adopted

LD 594 proposed to require the Department of Education to adopt major substantive rules to establish standards and practices to follow when proposing to close a school in the unorganized territory.

***Enacted law summary***

Public Law 2005, chapter 30 requires the Department of Education to adopt major substantive rules to establish standards and practices to follow when proposing to close a school in the unorganized territory.

**LD 603**

**An Act To Ensure Accommodation of Students with Disabilities or Illnesses in the University of Maine System and the Maine Community College System**

**ONTP**

Sponsor(s)  
GLYNN

Committee Report  
ONTP

Amendments Adopted

LD 603 proposed to provide a framework for the accommodation of students with disabilities and students with illnesses in the University of Maine System and in the Maine Community College System. The bill proposed to require the adoption of a request form and particular weight to be given to the recommendations of health care professionals. The bill proposed to set 30 days as the time limit for the university or the system to decide upon an accommodation request and proposed to require refunds to students for whom the accommodation request is not decided within that time limit. The bill also proposed to limit legal fees.