

# 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*

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*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 1424**

**An Act To Simplify Implementation of the Maine Learning Results**

**PUBLIC 446**

<u>Sponsor(s)</u> CUMMINGS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-554
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LD 1424 proposed to simplify implementation of the learning results and proposed to provide for local assessments of reading, writing and math, the core principles of the learning results.

**Committee Amendment "A" (H-554)** proposed to strike and replace the bill to make several changes to the law in order to simplify the implementation requirements of the system of learning results. The amendment proposed to accomplish the following.

1. It would maintain the existing timelines for implementation of all curriculum and instructional requirements of the system of learning results, including implementation of the content areas of visual and performing arts, foreign languages and career preparation, by the 2007-2008 school year.
2. It would continue the current practice of basing decisions regarding high school graduation and the awarding of high school diplomas upon existing credit-based requirements in law to ensure that all students would continue to have the opportunity to learn and to be awarded a high school diploma.
3. It would amend current law to clarify that a high school diploma would be awarded to those special education students who successfully complete the requirements of the system of learning results as specified in the goals and objectives of their individualized education plans.
4. Beginning in the 2007-2008 school year, it would allow school administrative units to award learning results endorsements in addition to the high school diploma for students who demonstrate attainment of the standards of the system of learning results; and it would establish that, between the 2009-2010 and 2011-2012 school years, the awarding of learning results endorsements would be based on student achievement of the standards of the system of learning results as determined by the school administrative unit's local assessment system in the following content areas:
  - A. By the 2009-2010 school year, English language arts and mathematics;
  - B. By the 2010-2011 school year, English language arts, mathematics, science and technology, social studies and health and physical education; and
  - C. By the 2011-2012 school years, each of the 8 content areas of the system of learning results.
5. It would permit the Commissioner of Education to provide for an alternative measure of student achievement at grade 11 as part of the statewide assessment program.
6. It would provide for greater accountability by:
  - A. Requiring that the Commissioner of Education validate the comprehensive education plan and the local assessment plan for every school administrative unit;

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- B. Directing the Commissioner of Education, beginning in the 2007-2008 school year, to recommend to the Legislature annual targets for the percentage of students to whom school administrative units and private schools that enroll 60% publicly-funded students may award diplomas based on the awarding of credits and the percentage of students receiving learning results endorsements in addition to the high school diploma awarded;
  - C. Requiring that school administrative units and certain private schools, beginning in the 2007-2008 school year, must include in their annual basic school approval reports to the Commissioner of Education the number and the percentage of learning results endorsements awarded in addition to high school diplomas; and
  - D. Directing the Commissioner of Education to provide an annual report by February 1st to the joint standing committee of the Legislature having jurisdiction over education matters regarding the status of implementation of the system of learning results in all school administrative units, including a report on the number and the percentage of learning results endorsements awarded in addition to high school diplomas awarded for each of the 8 content areas of the system of learning results in every school administrative unit in the State.
7. It would authorize the Commissioner of Education to provide technical assistance to school administrative units based on a review of the comprehensive education plan. Current law only permits the commissioner to provide technical assistance when student performance in the school unit indicates that assistance is needed.

### ***Enacted law summary***

Public Law 2005, chapter 446 makes several changes to the education statutes in order to simplify the implementation requirements of the system of learning results. The law accomplishes the following.

- 1. It maintains the existing timelines for implementation of all curriculum and instructional requirements of the system of learning results, including implementation of the content areas of visual and performing arts, foreign languages and career preparation, by the 2007-2008 school year.
- 2. It continues the current practice of basing decisions regarding high school graduation and the awarding of high school diplomas upon existing credit-based requirements in law to ensure that all students will continue to have the opportunity to learn and to be awarded a high school diploma.
- 3. It amends current law to clarify that a high school diploma must be awarded to those special education students who successfully complete the requirements of the system of learning results as specified in the goals and objectives of their individualized education plans.
- 4. Beginning in the 2007-2008 school year, it allows school administrative units to award learning results endorsements in addition to the high school diploma for students who demonstrate attainment of the standards of the system of learning results; and it establishes that, between the 2009-2010 and 2011-2012 school years, the awarding of learning results endorsements will be based on student achievement of the standards of the system of learning results as determined by the school administrative unit's local assessment system in the following content areas:
  - A. By the 2009-2010 school year, English language arts and mathematics;

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- B. By the 2010-2011 school year, English language arts, mathematics, science and technology, social studies and health and physical education; and
  - C. By the 2011-2012 school years, each of the 8 content areas of the system of learning results.
5. It permits the Commissioner of Education to provide for an alternative measure of student achievement at grade 11 as part of the statewide assessment program.
6. It provides for greater accountability by:
- A. Requiring that the Commissioner of Education validate the comprehensive education plan and the local assessment plan for every school administrative unit;
  - B. Directing the Commissioner of Education, beginning in the 2007-2008 school year, to recommend to the Legislature annual targets for the percentage of students to whom school administrative units and private schools that enroll 60% publicly-funded students may award diplomas based on the awarding of credits and the percentage of students receiving learning results endorsements in addition to the high school diploma awarded;
  - C. Requiring that school administrative units and certain private schools, beginning in the 2007-2008 school year, must include in their annual basic school approval reports to the Commissioner of Education the number and the percentage of learning results endorsements awarded in addition to high school diplomas; and
  - D. Directing the Commissioner of Education to provide an annual report by February 1st to the joint standing committee of the Legislature having jurisdiction over education matters regarding the status of implementation of the system of learning results in all school administrative units, including a report on the number and the percentage of learning results endorsements awarded in addition to high school diplomas awarded for each of the 8 content areas of the system of learning results in every school administrative unit in the State.
7. It authorizes the Commissioner of Education to provide technical assistance to school administrative units based on a review of the comprehensive education plan. Current law only permits the commissioner to provide technical assistance when student performance in the school unit indicates that assistance is needed.

**LD 1425**

**An Act To Support the Efficient Implementation of Maine's Learning Results**

**CARRIED OVER**

Sponsor(s)  
CUMMINGS  
WESTON

Committee Report

Amendments Adopted

LD 1425 proposed to provide financial support to existing nongovernmental education organizations that create and manage statewide and regional networks that provide Maine learning results implementation support and services to Maine educators and school systems. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.