

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

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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.

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LD 1513

An Act To Require Coordination of Early Childhood Programs for Children 4 Years of Age in Maine

PUBLIC 368

<u>Sponsor(s)</u> PINGREE MILLS P	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-507
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LD 1513 proposed to require local public schools to coordinate with community-based early childhood care and preschool education providers to determine the best way to deliver preschool education. Prior to receiving approval from the Department of Education for offering a so-called "early kindergarten" program, public schools must demonstrate that they have coordinated with community-based early childhood care and preschool education providers to prevent duplication of preschool services. The bill also proposed to require coordinated planning with the Department of Health and Human Services and Department of Education to ensure that new "early kindergarten" services are provided in safe, developmentally appropriate settings by skilled and educated preschool teachers.

Committee Amendment "A" (H-507) proposed to strike and replace the title of the bill and the bill itself to establish that local public schools would be required to receive approval from the Department of Education before offering so-called "early kindergarten" programs. The amendment proposed to accomplish the following.

1. It would require that the Department of Education approval process consider factors related to the needs of families in the community for other early childhood education programs for children 4 years of age, the extent to which public schools have demonstrated that they have coordinated with early childhood programs for children 4 years of age in the community and the provision of broad public notice regarding the proposed early childhood education program for children 4 years of age.
2. It would permit the Department of Education to adopt major substantive rules for the approval process for early childhood programs for children 4 years of age.
3. It also would require the Department of Education, in collaboration with representatives of the early childhood programs in the State, to establish standards for early childhood programs for children 4 years of age developed by school administrative units.

House Amendment "A" to Committee Amendment "A" (H-573) proposed to require the Department of Education to include consideration of demonstrated adherence by a school administrative unit to policies set forth in the Department of Health and Human Services child care licensing guidelines for care of children with respect to safety issues and adult-to-child ratios in evaluating a proposal to develop an early childhood program for children 4 years of age submitted by a school administrative unit to the Department of Education for approval.

Enacted law summary

Public Law 2005, chapter 368 requires that local public schools must receive approval from the Department of Education before offering so-called "early kindergarten" programs. The law requires that the Department of Education approval process must consider factors related to the needs of families in the community for other early childhood education programs for children 4 years of age, the extent to which public schools have demonstrated that they have coordinated with early childhood programs for children 4 years of age in the community, demonstrated adherence by a school administrative unit to policies set forth in the Department of Health and Human Services child care licensing guidelines for care of children with respect to safety issues and adult-to-child

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ratios, and the provision of broad public notice regarding the proposed early childhood education program for children 4 years of age.

The law also permits the Department of Education to adopt major substantive rules for the approval process for early childhood programs for children 4 years of age. The law further requires the Department of Education, in collaboration with representatives of the early childhood programs in the State, to establish standards for early childhood programs for children 4 years of age developed by school administrative units.

LD 1527 **Resolve, To Allow School Administrative District 16 To Sell a School in Anticipation of Closure** **ONTP**

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

LD 1527 proposed to allow School Administrative District 16 to sell the consolidated Hall-Dale Elementary School and lease it for \$1 per year until a replacement school building is completed and ready to be occupied.

LD 1528 **An Act To Create a Graduate School of Biomedical Sciences at the University of Maine** **P & S 28**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY CAIN	OTP-AM	S-165 S-398 ROTUNDO

LD 1528 proposed to direct the Board of Trustees of the University of Maine System to establish a graduate school of biomedical sciences to educate and train students in basic and clinical fields of biomedicine and the biosciences. The bill also proposed to provide ongoing funds for the graduate school.

Committee Amendment "A" (S-165) proposed to incorporate a fiscal note.

Senate Amendment "A" (S-398) proposed to authorize, but does not require, the Board of Trustees of the University of Maine System to establish a graduate school of biomedical sciences to educate and train students in basic and clinical fields of biomedicine and the biosciences. This amendment also proposed to remove funding for the graduate school.

Enacted law summary

Private and Special Law 2005, chapter 28 authorizes the Board of Trustees of the University of Maine System to establish a graduate school of biomedical sciences to educate and train students in basic and clinical fields of biomedicine and the biosciences.