

# 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 1565**                      **An Act Requiring Release of Aggregate Information from the Department of Education To Measure the Effectiveness of the Law Requiring Fingerprinting and Background Checks of Educational Personnel**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHETTE CLUKEY	ONTP      MAJ OTP      MIN	

LD 1565 proposed to require the Department of Education to release aggregate information to the Legislature concerning the law requiring fingerprinting and background checks of educational personnel in order to measure the effectiveness of the law.

**LD 1615**                      **An Act To Restore Funding for the Reading Recovery Program**                      **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM      MAJ ONTP      MIN	

LD 1615 proposed to restore funding for the Reading Recovery program that was deappropriated in Public Law 2005, chapter 12.

**LD 1639**                      **An Act To Allow Abstinence To Be Offered as an Alternative Education Program for Grades 7 to 12**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO DUPREY	ONTP      MAJ OTP      MIN	

LD 1639 proposed to allow the governing body of a school administrative unit to choose to offer abstinence education for grades 7 to 12 in place of or in addition to any comprehensive family life education that takes place in a school.

**LD 1640**                      **An Act To Permit Charter Schools in Maine**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON		

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

LD 1640 proposed to allow certain educational bodies to approve the establishment of charter schools, a new type of public school, to be a part of the State's program of public education. The charter school pilot program proposed to be established under this bill would permit up to 20 charter schools to be authorized during a 10-year pilot phase. A charter school would be approved for a renewable 5-year term, with a major review of the operations and achievements of the charter school prior to renewal.

Charter schools could be conversions of existing public schools or school administrative units, new schools or existing nonprofit, nonsectarian schools that would convert to charter status. A chartering authority could be a local school board or an officially recognized unit of the University of Maine System or one of its universities, the Maine Community College System or one of its colleges or the Maine Maritime Academy.

Charter schools would be created to offer students and parents more education options to meet the diversity of learning needs of Maine's children. Charter schools would be open to all students equally, though they could specialize in serving a particular age group, a specific geographic area or a student population with specific needs. A charter school could not be affiliated with a religious institution and would be required to be nonsectarian in its programs, practices and policies.

At least 50% of the charter school's teaching staff would be required to hold appropriate teaching certificates. Teachers in charter schools would be employees of the charter school and would have the right to organize and bargain collectively in a separate unit or could choose to operate the charter school themselves as partners or members of a cooperative.

Charter schools would be funded by per-pupil allocations from state and local sources based on the essential programs and services model of school funding. The state and local per-pupil payments would be sent to each charter school or other public school chosen for each child. Funds for operating costs, transportation costs, vocational costs and special education costs would be required to follow each child to the public charter school chosen.

This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

**LD 1649**

**An Act To Amend the Maximum Allowable Tuition for Students**

**ONTP**

Sponsor(s)  
SAVIELLO

Committee Report  
ONTP

Amendments Adopted

LD 1649 proposed to require the Commissioner of Education to pay for each tuition student to a public elementary or secondary school the actual per student cost or the average statewide per student cost, whichever is higher.