

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Education and Cultural Affairs*

*July 2006*

**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. Vaughn A. Stedman*

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*Rep. Peter Edgecomb*

*Rep. Scott E. Lansley*

*Rep. Barbara E. Merrill*

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# Maine State Legislature



## Office of Policy and Legal Analysis Office of Fiscal and Program Review

### 122nd Maine Legislature Second Regular Session

#### Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 arranged alphabetically by committee name 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. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

*Joint Standing Committee on Education and Cultural Affairs*

3. It revises existing state statutes to align with the recently reauthorized federal Individuals with Disabilities Education Act, which was amended by the Federal Government in 2004.
4. It requires that “related services” be provided at public expense to children with disabilities. “Related services” means special education transportation and such developmental, corrective and other related services, as defined by the commissioner, as are required to assist children with disabilities to benefit from their special education programs.
5. It further amends state statutes to ensure consistent terminology, including replacing the term “exceptional student” with the term “child with a disability.”
6. It reorganizes the responsibilities of the Department of Education, the state intermediate educational unit and the 16 regional sites of the Child Development Services System in order to enhance the effectiveness of early childhood special education programs and to achieve efficiencies of cost to realize administrative savings within the Child Development Services System as required by Public Law 2005, chapter 12, Part YY.
7. It establishes initiatives within the early childhood special education program that centralize fiscal administration, salary and benefits administration and data management policies and procedures beginning with the fiscal year starting on July 1, 2006.
8. It provides the Commissioner of Education with the duty to determine and approve the annual entitlement application and the budget presented by the respective boards of directors of the 16 regional sites within the Child Development Services System.
9. It establishes the Subcommittee To Study Early Childhood Special Education, a 28-member subcommittee, to study early childhood special education programs and services provided for infants and young children from birth to 8 years of age. The subcommittee shall function as a subcommittee of the Task Force on Early Childhood, an initiative of the Children's Cabinet that proposes to implement a state plan for comprehensive early childhood systems. The subcommittee shall submit a report to the Commissioner of Education and the Commissioner of Health and Human Services and to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 31, 2007. The subcommittee has the authority to submit legislation to the First Regular Session of the 123rd Legislature to implement the recommendations contained in its report.

Public Law 2005, chapter 662 was enacted as an emergency measure effective May 30, 2006.

**LD 1780**

**An Act Concerning Members of School Administrative Districts'  
Finance Committees**

**PUBLIC 496**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B BRYANT M	OTP	

LD 1780 proposed that the finance committee of a board of directors for a school administrative district would be made up of at a minimum 3 members. Current law sets the membership at 3 members.

## Joint Standing Committee on Education and Cultural Affairs

### *Enacted law summary*

Public Law 2005, chapter 496 establishes that the finance committee of a board of directors for a school administrative district be made up of at a minimum 3 members.

**LD 1785**

**An Act To Promote Economic Development by Enhancing Educational Opportunities**

**P & S 69  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL NORTON	OTP-AM	S-497 S-669

LD 1785, which was a concept draft pursuant to Joint Rule 208, proposed to continue the college transitions pilot projects that are in place in 7 adult education programs.

**Committee Amendment “A” (S-497)** proposed directing the Department of Education to work towards expanding the number of adult education programs offering services to facilitate the successful transition to college. It proposed appropriating \$305,000 to fund continuation of existing programs and to initiate a phase-in of additional programs.

**Senate Amendment “A” to Committee Amendment “A” (S-669)** proposed deappropriating excess funds in the Homestead Property Tax Exemption Reimbursement program and in the Debt Service - Government Facilities Authority program and providing additional funding for the University of Maine System and the Maine Community College System.

### *Enacted law summary*

Private and Special Law 2005, chapter 69 directs the Department of Education to work towards expanding the number of adult education programs offering services to facilitate the successful transition to college to 30 sites over a 5-year period. The law directs the Department of Education to work with interested parties in developing criteria for selecting sites and specifies that 7 pilot programs currently in operation serve as a model for programs at additional sites. The law further directs the Department of Education to provide a progress report no later than January 15, 2007, and a final report by January 15, 2008, to the joint standing committee of the Legislature having jurisdiction over education matters.

The law deappropriates excess funds in the Homestead Property Tax Exemption Reimbursement program and in the Debt Service - Government Facilities Authority program and appropriates an additional \$4,200,000 in ongoing funding for the University of Maine System and an additional \$1,600,000 in ongoing funding for the Maine Community College System.

Private and Special Law 2005, chapter 69 was enacted as an emergency measure effective June 2, 2006.