

# 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*

*Rep. Gerald M. Davis*

*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*

**LD 1790**                      **An Act Concerning the Implementation of Cuts in Child Development Services**                      **ONTP**

<u>Sponsor(s)</u> WESTON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1790, which was a concept draft pursuant to Joint Rule 208, proposed to require a legislative review of and changes to the implementation of funding cuts in child development services that have been proposed by the Department of Education.

**LD 1798**                      **An Act Regarding Standardized Testing in Maine**                      **ONTP**

<u>Sponsor(s)</u> BRENNAN SAVIELLO		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1798 proposed to require the commissioner to submit any alternative assessment program to the Legislature for its approval. The bill also proposed to delay the implementation of the Scholastic Aptitude Test, as an alternative assessment for grade 11, until the 2007 school year. Current law requires the Commissioner of Education to establish a statewide assessment program to measure and evaluate achievement of learning results, but permits the commissioner to establish an alternative assessment for students in grade 11.

**LD 1807**                      **An Act To Establish the Penobscot Language Preservation Fund in the Department of Education**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> SOCKALEXIS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-780
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LD 1807 proposed to establish the Penobscot Language Preservation Fund and proposed to appropriate funds for the Department of Education to provide financial assistance to the Penobscot Indian Nation to develop a program to maintain and preserve the Penobscot language. The proposed language program must be maintained and managed under the auspices of the tribal cultural and historic preservation department. These funds would also be used to match other funding sources.

**LD 1818**                      **An Act To Allow School Districts To Recover Certain Funds**                      **ONTP**

<u>Sponsor(s)</u> RINES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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*Joint Standing Committee on Education and Cultural Affairs*

LD 1818 proposed to provide that targeted funds be paid to the school administrative unit or private school that each student attends in addition to tuition rates calculated pursuant to the Maine Revised Statutes, Title 20-A, chapter 219.

**LD 1821**                    **An Act To Authorize Flexibility in School Attendance Requirements in Emergencies**                    **ONTP**

<u>Sponsor(s)</u> MILLS J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1821 proposed allowing the Commissioner of Education, in times of emergency, as declared by the Governor, to reduce the total number of instructional days a school is required to be in session. As proposed, the commissioner could also authorize a school board to offset, approximately, the reduction in instructional days through an increase in the length of the instructional day that the school is actually in session.

**LD 1826**                    **An Act To Clarify Provisions Governing Technical Education**                    **ONTP**

<u>Sponsor(s)</u> THOMAS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1826 proposed to specify that the laws governing driver education courses do not apply to line worker training programs provided by the Maine Community College System.

**LD 1843**                    **An Act To Require Legislative Approval of Changes Made to the Educational Assessment Testing**                    **ONTP**

<u>Sponsor(s)</u> SAVIELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1843 proposed to require the commissioner to submit any alternative assessment program to the Legislature for its approval. Current law requires the Commissioner of Education to establish a statewide assessment program to measure and evaluate achievement of learning results. The current assessment program used for students in grades 4, 8 and 11 is the Maine Educational Assessment. The commissioner is permitted to establish an alternative assessment for students in grade 11.

**LD 1851**                    **An Act Relating to the Flanders Bay Community School District**                    **P & S 39 EMERGENCY**

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