

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



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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).

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 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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Joint Standing Committee on Education and Cultural Affairs

LD 1851 proposed to remove existing uncertainties with respect to the name and legal authority of the governing body of the Flanders Bay Community School District. The bill proposed to clarify the authority of the district school committee of the Flanders Bay Community School District to act as the governing body of the district; provide that the district is governed by the laws of the State applicable to community school districts; and validate and approve all prior actions and obligations of the district and its governing body.

Enacted law summary

Private and Special Law 2005, chapter 39 removes existing uncertainties with respect to the name and legal authority of the governing body of the Flanders Bay Community School District. The law clarifies the authority of the district school committee of the Flanders Bay Community School District to act as the governing body of the district, provides that the district is governed by the laws of the State applicable to community school districts, and validates and approves all prior actions and obligations of the district and its governing body.

Private and Special Law 2005, chapter 39 was enacted as an emergency measure effective March 17, 2006.

LD 1867 An Act To Amend the Elementary School Closing Process for ONTP School Administrative Districts and Community School Districts

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

LD 1867 proposed to eliminate the requirement for a referendum vote in a member municipality of a school administrative district or community school district where the school board has voted to close an elementary school. Under the proposed bill, a referendum vote could still be triggered by a petition signed by 10% of the number of voters in the affected municipality who voted in the last gubernatorial election.

LD 1876 An Act To Inform Parents of Students' Privacy Rights ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRINGTON BROMLEY	ONTP	

LD 1876 proposed to require all secondary schools subject to the No Child Left Behind Act of 2001 to provide each parent, or student who is 18 years of age, with specific information regarding the requirements of the No Child Left Behind Act. The federal No Child Left Behind Act of 2001 requires secondary schools that receive federal funding to provide a student's name, address and telephone listing to military recruiters and institutions of higher education. Schools are required to notify parents of the requirements of the No Child Left Behind Act, but this may be done through a letter in the student handbook. A parent may request that such information not be released. This bill proposed to require the school to provide each parent, or a student who is at least 18 years of age, with a form that allows the parent or student to prohibit the school from providing information about the student to military recruiters or institutions of higher education or both. The parent or student would notify the school of the parent's or student's option through a number of means, including e-mail and regular mail. In