

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*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

Staff:

Phillip D. McCarthy, Legislative Analyst

Jill Ippoliti, Legislative Analyst

Office of Policy and Legal Analysis

13 State House Station

Augusta, ME 04333

(207) 287-1670

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).

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

Private and Special Law, chapter 45 was enacted as an emergency measure effective March 30, 2006.

LD 2069 **Resolve, Regarding Legislative Review of the Final Repeal of Portions of Chapter 130: Rules for Equivalent Instruction Programs, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education** **RESOLVE 171 EMERGENCY**

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

LD 2069 proposed to provide for legislative review of the final repeal of Chapter 130: Rules for Equivalent Instruction Programs, a major substantive rule of the Department of Education that had been provisionally repealed.

Enacted law summary

Resolve 2005, chapter 171 provides for legislative review of the final repeal of Chapter 130: Rules for Equivalent Instruction Programs, a major substantive rule of the Department of Education that has been provisionally repealed.

Resolve 2005, chapter was enacted as an emergency measure effective April 7, 2006.

LD 2103 **An Act To Implement the Recommendations of the Joint Standing Committee on Education and Cultural Affairs Regarding Review of the State Board of Education under the State Government Evaluation Act** **PUBLIC 611**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u> H-1017 NORTON
-------------------	--	-------------------------	--	--

LD 2103, which was introduced without reference to a committee, proposed to implement the recommendations of the Joint Standing Committee on Education and Cultural Affairs pursuant to its review of the State Board of Education under the State Government Evaluation Act. It proposed to clarify that the authority of the State Board of Education with respect to the development or implementation of cooperative agreements among school administrative units is advisory in nature and proposed to replace the term “school consolidation” with “school administrative unit configuration.”

House Amendment “A” (H-1017) proposed to remove language relating to the power and duty of the State Board of Education to develop a school administrative unit configuration plan that includes criteria for evaluating opportunities for reconfiguration and, if desirable, develop a time line for implementation.

Enacted law summary

Joint Standing Committee on Education and Cultural Affairs

Public Law 2005, chapter 611 implements the recommendations of the Joint Standing Committee on Education and Cultural Affairs pursuant to its review of the State Board of Education under the State Government Evaluation Act. The law clarifies that the authority of the State Board of Education with respect to the development or implementation of cooperative agreements among school administrative units is advisory in nature and replaces the term “school consolidation” with “school administrative unit configuration.”

LD 2104

An Act Relating to Secondary School Construction Projects

PUBLIC 595

Sponsor(s)

Committee Report

Amendments Adopted

LD 2104, which was introduced without reference to a committee, proposed to make rules adopted by the State Board of Education pertaining to the approval of major capital secondary school construction projects major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The bill proposed to make this change effective January 1, 2007.

Enacted law summary

Public Law, chapter 595 provides that rules adopted by the State Board of Education pertaining to the approval of major capital secondary school construction projects are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The law makes this change effective January 1, 2007.

LD 2105

An Act To Implement the Recommendations of the Joint Standing Committee on Education and Cultural Affairs Regarding the Telecommunications Relay Services Advisory Council Pursuant to Reviews Conducted under the State Government Evaluation Act

PUBLIC 605

Sponsor(s)

Committee Report

Amendments Adopted
S-579 MITCHELL

LD 2105, which was introduced without reference to a committee, proposed to implement the recommendations of the Joint Standing Committee on Education and Cultural Affairs pursuant to its review of the Telecommunications Relay Services Advisory Council under the State Government Evaluation Act. It proposed to give the Telecommunications Relay Services Advisory Council the authority to enter into contracts with telecommunications relay service providers for the purpose of providing telecommunications services to persons who are deaf, hearing impaired or speech impaired. Because of this proposed contracting authority, the advisory council would be reallocated from its current status in the Maine Revised Statutes, Title 5, section 12004-I as an advisory board with minimal authority to Title 5, section 12004-G, which lists general government boards with contracting authority. The bill also proposed to change the joint standing committee of the Legislature having jurisdiction over the review of the advisory council under the State Government Evaluation Act from the joint standing committee of the Legislature having jurisdiction over education and cultural affairs to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and proposed to require that the advisory council be reviewed by that committee in 2013.