

Joint Standing Committee on Education and Cultural Affairs

LD 1

An Act To Increase the State Share of Education Costs, Reduce Property Taxes and Reduce Government Spending at All Levels.

PUBLIC 2

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON	OTP-AM	H-1
EDMONDS	OTP-AM	S-11

LD 1, a Governor's Bill, proposed to increase the state share of education costs, provide property tax reduction for Maine residents and reduce government spending at all levels. Specifically, the bill proposed the following.

Part A proposed to change the structure and operation of the State Budget Stabilization Fund and establish a General Fund growth limitation to control state spending and taxes.

Part B proposed to authorize the Intergovernmental Advisory Committee to identify best management practices that would facilitate property tax reduction through the increase in the state share of education costs.

Parts C, E and G proposed to establish caps on the growth of municipal, plantation and county spending, respectively. The caps could not be exceeded except in defined extraordinary circumstances or as overridden by a majority vote of the voters of the municipality or county.

Part D proposed to establish a cap on total education costs and to require the State to increase its share of school funding by paying 50% of the total cost of essential programs and services in fiscal year 2006-07 and 55% in fiscal year 2008-09. The funds made available for property tax reduction, as a result of the State's increasing its share of education funding, would be used to reduce property taxes. This property tax reduction could be overridden only by a majority vote of affected voters.

Part F proposed to provide funding for increasing property tax relief over the period of time during which the State is increasing funding of education spending up to at least 55%. Part F proposed to expand the nonelderly portion of the Maine Residents Property Tax Program by increasing household income limitations to \$50,000 for single-member households and \$75,000 for multimember households. This Part also proposed that the State Tax Assessor undertake a study of the Maine Residents Property Tax Program in order to examine how the maximum benefits under the program may be increased over time.

Part F also proposed to require the Maine State Housing Authority to create a property tax deferral program permitting Maine residents to defer the portion of property taxes on a principal residence that exceed 6% of income.

Part F also proposed to change the funding for the Business Equipment Tax Reimbursement, "BETR," program from a General Fund appropriation to an adjustment to individual income tax revenues.

Part H proposed to establish the goal of reducing the total state and local tax burden to the national average in 10 years. It also proposed to require the Governor, in consultation with the Legislative Council, to establish an independent commission to annually assess and report to the Governor and Legislature on progress toward the tax burden reduction goal.

Part H also proposed procedures for implementation of the Fund for the efficient Delivery of Educational Services and the Fund for the Efficient Delivery of Local and Regional Services.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (H-1) proposed to replace the bill and provide the following:

Part A proposed to establish a General Fund appropriation limitation that limits the growth of General Fund appropriations to the rate established by a formula that is based on real personal income growth and population growth. The limit is higher when the state and local tax burden for the State is reduced to the middle 1/3 of all states.

Part A also proposed to restructure the Maine Budget Stabilization Fund and change the primary use of the fund to budget stabilization during periods when General Fund revenues are insufficient to meet allowable General Fund appropriations. The Maine Budget Stabilization Fund would be capped at 12% of General Fund revenues. When all designated year-end transfers of excess General Fund revenues have reached their caps, excess revenues would be transferred to a new Tax Relief Fund for Maine Residents.

Part B proposed to establish limits on the growth of county tax assessments.

Part C proposed to establish limits on the growth of municipal property tax levies.

Part D proposed the following changes to implement an increase in the state share of the cost of education from kindergarten to grade 12:

1. Provide a 4-year ramp to achieve 55% state share of 100% of essential programs and services;
2. Modify special education distributions;
3. Provide funds in fiscal year 2005-06 for various transition adjustments;
4. Direct the Commissioner of Education to develop and report recommendations for a transition adjustment in fiscal year 2006-07 to the Joint Standing Committee on Education and Cultural Affairs;
5. Direct the Department of Education to phase-in the impact of cost-sharing changes;
6. Exempt SAD 6 and SAD 44 from the total cost of education mechanism enacted by Public Law 2003, chapter 712;
7. Provide a school administrative unit spending cap based on 100% of the essential programs and services total cost of education and provide for a local override process;
8. Address conflicting provisions regarding administration and oversight of the Fund for Efficient Delivery of Educational Services; and
9. Clarify criteria to be used in determining the adjustment for isolated small schools in fiscal year 2005-06.

Part E proposed to change the Maine Residents Property Tax Program, also known as the circuit breaker program, by eliminating income eligibility requirements, raising the maximum benefit from \$1,000 to \$2,000, extending the application period through May 31st annually and establishing the maximum property taxes and rent constituting property taxes that may be considered in calculating the benefit.

Part F proposed to increase the homestead property tax exemption to \$13,000 for all homesteads.

Joint Standing Committee on Education and Cultural Affairs

Part G proposed to set the ceiling on the Local Government Fund under state-municipal revenue sharing at \$100,000,000 in fiscal year 2005-06 and provide for future indexing of the ceiling according to the Consumer Price Index. This change would increase the portion of state-municipal revenue sharing funds transferred to the Disproportionate Tax Burden Fund, also referred to as Revenue Sharing 2, which would provide greater payments to municipalities with tax rates exceeding 10 mills.

Part H proposed to establish the goal of reducing the total state and local tax burden to the middle 1/3 of all states by 2015. It also proposed to require the State Planning Office to monitor and report on the progress of state and local government in meeting this goal and to collect and analyze data relating to state and local spending and revenues.

Part I contained appropriations and allocations to implement the bill.

Senate Amendment "J" to Committee Amendment "A" (S-11) proposed to strike the emergency preamble and emergency clause and make portions of the amendment apply retroactively.

Enacted law summary

Public Law 2005, chapter 2 provides the following tax and spending reform:

1. It establishes a General Fund appropriation limitation that limits the growth of General Fund appropriations to the rate established by a formula that is based on real personal income growth and population growth. The limit is higher when the state and local tax burden for the State is reduced to the middle 1/3 of all states. It restructures the Maine Budget Stabilization Fund and changes the primary use of the fund to budget stabilization during periods when General Fund revenues are insufficient to meet allowable General Fund appropriations. The Maine Budget Stabilization Fund is capped at 12% of General Fund revenues. When all designated year-end transfers of excess General Fund revenues have reached their caps, excess revenues are transferred to a new Tax Relief Fund for Maine Residents.
2. It establishes limits on the growth of county tax assessments.
3. It establishes limits on the growth of municipal property tax levies.
4. It makes changes to the education funding formulas to provide 4-year ramp to achieve 55% state share of 100% of essential programs and services; modifies special education distributions; provides various transition adjustments; directs the Commissioner of Education to develop and report recommendations for a transition adjustment and other issues in fiscal year 2006-07 to the Joint Standing Committee on Education and Cultural Affairs; directs the Department of Education to phase-in the impact of cost-sharing changes; provides a school administrative unit spending cap based on 100% of the essential programs and services total cost of education and provides for a local override process; and addresses conflicting provisions regarding administration and oversight of the Fund for Efficient Delivery of Educational Services;
5. It changes the Maine Residents Property Tax Program, also known as the circuit breaker program, by eliminating income eligibility requirements, raising the maximum benefit from \$1,000 to \$2,000, extending the application period through May 31st annually and establishing the maximum property taxes and rent constituting property taxes that may be considered in calculating the benefit.

Joint Standing Committee on Education and Cultural Affairs

- 6. It increases the homestead property tax exemption to \$13,000 for all homesteads and provides 50% state reimbursement to municipalities.
- 7. It sets the ceiling on the Local Government Fund under state-municipal revenue sharing at \$100,000,000 in fiscal year 2005-06 and provides for future indexing of the ceiling according to the Consumer Price Index. This change increases the portion of state-municipal revenue sharing funds transferred to the Disproportionate Tax Burden Fund, also referred to as Revenue Sharing 2, which provides greater payments to municipalities with tax rates exceeding 10 mills.

LD 8 **Resolve, Regarding Legislative Review of the Repeal of Chapter 130: Rules for Equivalent Instruction Programs, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education** **RESOLVE 3 EMERGENCY**

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

LD 8 proposed to provide for legislative review of the repeal of Chapter 130: Rules for Equivalent Instruction Programs, a major substantive rule of the Department of Education.

Enacted law summary

Resolve 2005, chapter 3 provides for legislative review of the repeal of Chapter 130: Rules for Equivalent Instruction Programs, a major substantive rule of the Department of Education.

Resolve 2005, chapter 3 was enacted as an emergency measure effective March 18, 2005.

LD 11 **Resolve, Regarding Legislative Review of Chapter 40: Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education** **RESOLVE 11 EMERGENCY**

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

LD 11 proposed to provide for legislative review of Chapter 40: Medication Administration in Maine Schools, a major substantive rule of the Department of Education.

Enacted law summary

Resolve 2005, chapter 11 provides for legislative review of Chapter 40: Medication Administration in Maine Schools, a major substantive rule of the Department of Education.

Resolve 2005, chapter 11 was enacted as an emergency measure effective May 5, 2005.

Joint Standing Committee on Education and Cultural Affairs

LD 57 **An Act To Provide Free Tuition to Students Achieving Learning Results Standards** **ONTP**

<u>Sponsor(s)</u> FISCHER MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 57 proposed to provide full tuition for the first year at any state postsecondary educational institution for Maine residents who are Maine high school graduates and have achieved state learning results standards.

LD 84 **An Act Regarding Interscholastic Athletics** **CARRIED OVER**

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

LD 84, which was a concept draft pursuant to Joint Rule 208, proposed to implement the recommendations of the Interscholastic Athletics Task Force. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 96 **An Act To Increase the Adult Education State Subsidy by a Specific Percentage** **CARRIED OVER**

<u>Sponsor(s)</u> ROTUNDO		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-63
------------------------------	--	-----------------------------------	--	-----------------------------------

LD 96 proposed to appropriate funds to increase the state subsidy for the adult education program within the Department of Education by 6% per year in fiscal years 2005-06 and 2006-07.

Committee Amendment "A" (S-63) proposed to provide that the appropriation of funds to increase the state subsidy for the adult education program within the Department of Education would be reduced from 6% per year in the bill to 4% per year in fiscal years 2005-06 and 2006-07.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

Joint Standing Committee on Education and Cultural Affairs

LD 116 **An Act To Ensure Funding for After-school Programs** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW COWGER	ONTP	

LD 116 proposed to establish the after-school program as an ongoing program to be implemented and administered by the Department of Education. This bill also proposed to require the ongoing funding for the after-school program to be equal to 0.5% of the annual General Fund appropriation for kindergarten to grade 12 public education.

LD 158 **An Act To Validate Collective Bargaining Provisions That May Affect Education Policies** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	ONTP	

LD 158 proposed to amend the restriction in current law that prohibits public employers of teachers in the course of collective bargaining from negotiating over education policies. This bill proposed to maintain that restriction but provides that if provisions in collective bargaining agreements are found to control matters of education policy, then those provisions would remain in effect for the term of the agreement.

LD 186 **An Act To Provide Certain Students with Full Tuition for State Institutions of Higher Learning** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISCHER MITCHELL	ONTP	

LD 186 proposed to provide full tuition to any state postsecondary educational institution for the top 10% of students graduating from the Maine School of Science and Mathematics.

LD 187 **An Act To Delay Certain Educational Assessment Requirements** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS ROTUNDO	ONTP	

LD 187 proposed to delay until the end of the 2009-2010 school year the implementation of graduation decisions at public high schools and certain private high schools being made on the basis of student achievement of the

Joint Standing Committee on Education and Cultural Affairs

standards of the system of learning results. The bill also proposed to require the Department of Education to submit a report to the Second Regular Session of the 122nd Legislature by January 2006 on the impact of the local assessment system in regard to capacity, cost and needed resources.

LD 200 An Act To Improve Teaching and Learning Conditions in Maine Schools CARRIED OVER

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

LD 200, which was a concept draft pursuant to Joint Rule 208, proposed to alleviate burdens, caused by the workloads created because teachers have to satisfy school reform mandates, by enhancing teaching and learning conditions in Maine schools. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 247 An Act To Limit Terms for Members of the State Board of Education PUBLIC 16

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

LD 247 proposed to limit the number of terms of office for members of the State Board of Education to 2 5-year terms, which need not be consecutive, beginning with new appointments by the Governor at the expiration of the current board members' terms of office.

Enacted law summary

Public Law 2005, chapter 16 limits the number of terms of office for members of the State Board of Education to 2 5-year terms, which need not be consecutive, beginning with new appointments by the Governor at the expiration of the current board members' terms of office.

LD 300 An Act To Provide a Schedule of School Funding That Provides 55% State Coverage of the Cost of Essential Programs and Services over a Period of 2 Years ONTP

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

LD 300 was reported out by the Joint Select Committee on Property Tax Reform. The bill proposed to accomplish the following.

Joint Standing Committee on Education and Cultural Affairs

1. It would require the State to pay 55% of the cost of funding essential education programs and services beginning in state fiscal year 2006-07.
2. It would provide to pay for increased state education funding by extending the general sales tax to amusements, extending the 7% sales tax to include rentals of boat moorings and docks and increasing the general sales tax to 5 1/2% beginning May 1, 2006.
3. It would provide that this Act would be subject to approval of the voters at a statewide referendum in November 2005.
4. It would provide an appropriations and allocations section to implement this Act.

LD 347 **An Act To Rename the Jobs for Maine's Graduates Program To Create InspireME** **INDEF PP**

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

LD 347 proposed to change the name of the Jobs for Maine's Graduates program to InspireME to better reflect its mission and impact. The bill also proposed to make minor changes to the purpose and structure of the program.

LD 363 **Resolve, To Study the Feasibility of Establishing a Football Program at the University of Southern Maine** **ONTP**

<u>Sponsor(s)</u> TUTTLE DIAMOND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 363 proposed to direct the President of the University of Southern Maine to study the feasibility of establishing a football team at the University of Southern Maine and to report the findings to the Joint Standing Committee on Education and Cultural Affairs during the Second Regular Session of the 122nd Legislature.

LD 400 **An Act To Align Maine Special Education Complaint Management Provisions with the Federal Individuals with Disabilities Education Act** **PUBLIC 70**

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

LD 400 proposed to allow a parent or school administrative unit has 30 days in which to challenge a complaint investigation report under current law. The United States Department of Education, Office of Special Education Programs has determined that the 30-day time limit impermissibly limits the right to initiate a hearing. This bill proposed to repeal the Maine Revised Statutes, Title 20-A, section 7206, subsection 4. Repealing this subsection

Joint Standing Committee on Education and Cultural Affairs

would permit a party to request an administrative hearing on the same issues that were dealt with in a complaint investigation at any time.

Enacted law summary

Public Law 2005, chapter 70 repeals the Maine Revised Statutes, Title 20-A, section 7206, subsection 4 provision that an interested party has 30 days in which to challenge a complaint investigation report completed by the Commissioner of Education. Repealing this subsection will maintain the right of a parent or school administrative unit to request an administrative hearing on the same issues that were dealt with in a complaint investigation at any time.

LD 405 **Resolve, To Establish an Education Pilot Program for Registered Nurses** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN PERRY A	OTP-AM	S-100

LD 405 proposed to require the President of the Maine Community College System to establish a pilot program for the education of registered nurses who are interested in employment in long-term care. The pilot program would be operated at 4 community college locations across the State and would be funded equally from the Health Care Training Fund and from private donations.

Committee Amendment "A" (S-100) proposed to revise the pilot program proposed in the resolve to require the Maine Community College System to establish a pilot program for the education of individuals who are interested in enrolling as candidates in an entry-level nursing preparation program and who have also expressed the goal of attaining a license as a registered nurse. The proposed pilot program could also provide education for entry-level candidates for the nursing preparation program who are interested in future employment in long-term care as registered nurses. The proposed pilot program would be operated at 2 community college locations in the State. The amendment also proposed to require that a scholarship fund be established with private donations to provide eligible students with funds to participate in this pilot program and proposed to provide that the Maine Health Care Association and the Maine Community College System work together to provide leadership for raising these scholarship funds.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

LD 424 **An Act To Exempt Certain Religious, Nonpublic, Postsecondary Institutions from State Requirements for Degree-granting Authority** **PUBLIC 85**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY PLOWMAN	OTP-AM	H-128

Joint Standing Committee on Education and Cultural Affairs

LD 424 proposed to exempt certain religious, private, postsecondary institutions from State Board of Education licensure requirements.

Committee Amendment "A" (H-128) proposed to adjust the title of the bill to more accurately reflect the purpose of the state review of prospective postsecondary educational institutions. The amendment also proposed to require that the religious, nonpublic, educational institutions that receive an exemption from the state degree-granting requirements, including an exemption from review by the State Board of Education and authorization from the Legislature, provide a consumer protection notice on all written materials made available to potential applicants or to the general public.

Enacted law summary

Public Law 2005, chapter 85 exempts certain religious, private, postsecondary institutions from state degree-granting requirements. The law also requires that the religious, nonpublic, educational institutions that receive an exemption from the state degree-granting requirements, including an exemption from review by the State Board of Education and authorization from the Legislature, provide a consumer protection notice on all written materials made available to potential applicants or to the general public.

LD 426 **Resolve, To Place a Moratorium on School Administrative Units' Local Assessment Systems** **ONTP**

<u>Sponsor(s)</u> NORTON SCHNEIDER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
--	---------------------------------	---------------------------

LD 426 proposed to place a moratorium on the implementation and use of local assessment systems by school administrative units to measure student achievement of learning results until the Joint Standing Committee on Education and Cultural Affairs studies relevant statutory law and local assessment systems and reports back to the Second Regular Session of the 122nd Legislature with improvements or elimination of local assessment system requirements.

LD 443 **An Act To Encourage Cooperation between School Districts** **DIED BETWEEN HOUSES**

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

LD 443 proposed to establish the Educational Efficiency Advisory Group to foster communication and cooperation between schools, school administrative units and other units of local and regional government and to promote efficient and cost-effective delivery of education services for children in Maine.

Joint Standing Committee on Education and Cultural Affairs

LD 465

Resolve, Regarding Legislative Review of Chapter 125: Calendar Adoption, a Major Substantive Rule of the Department of Education

**RESOLVE 7
EMERGENCY**

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 465 proposed to provide for legislative review of Chapter 125: Calendar Adoption, a major substantive rule of the Department of Education.

Enacted law summary

Resolve 2005, chapter 7 provides for legislative review of Chapter 125: Calendar Adoption, a major substantive rule of the Department of Education.

Resolve 2005, chapter 7 was enacted as an emergency measure effective April 8, 2005.

LD 478

An Act To Cap Tuition Rates by Schools in the Unorganized Territory

PUBLIC 115

Sponsor(s)
MCFADDEN
RAYE

Committee Report
OTP-AM

Amendments Adopted
H-203

LD 478 proposed to limit the per pupil tuition charge of schools maintained by the State in the unorganized territory for students sent by other school districts at the state average expenditure per pupil for the preceding year.

Committee Amendment "A" (H-203) proposed to incorporate a fiscal note.

Enacted law summary

Public Law 2005, chapter 115 caps the per pupil tuition charge of schools maintained by the State in the unorganized territory for students sent by other school administrative units at the state average expenditure per pupil for the preceding year.

Joint Standing Committee on Education and Cultural Affairs

LD 556 **An Act To Require School Unions To Provide Transportation for Students** **ONTP**

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

LD 556 proposed to require school unions to provide transportation for the unions' elementary and secondary school students.

LD 564 **An Act To Amend the Laws Governing the Student Code of Conduct** **PUBLIC 307**

<u>Sponsor(s)</u> GROSE STRIMLING		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-333
---	--	-----------------------------------	--	------------------------------------

LD 564 proposed to add to the requirements for school boards' student codes of conduct by including in the description of unacceptable behavior bullying, harassment and sexual harassment; including counseling as part of the procedures concerning the removal of disruptive or violent students; and including training of students in ways to prevent and identify bullying, harassment and sexual harassment.

Committee Amendment "A" (H-333) proposed to replace the bill. It proposed to require school boards to establish policies to address bullying, harassment and sexual harassment. It proposed to direct a subcommittee of the Children's Cabinet to develop model policies, materials for communicating and implementing the model policies and training modules specific to recognizing and addressing bullying, harassment and sexual harassment. It proposed to direct the subcommittee to complete its work by February 15, 2006 and school administrative units to have policies and procedures in place by September 1, 2006.

Enacted law summary

Public Law 2005, chapter 307 requires school boards to establish policies to address bullying, harassment and sexual harassment. It directs a subcommittee of the Children's Cabinet to develop model policies, materials for communicating and implementing the model policies and training modules specific to recognizing and addressing bullying, harassment and sexual harassment. It directs the subcommittee to complete its work by February 15, 2006 and school administrative units to have policies and procedures in place by September 1, 2006.

LD 578 **An Act To Amend the Charter of the Portland Public Library** **P & S 16
EMERGENCY**

<u>Sponsor(s)</u> STRIMLING		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-104
--------------------------------	--	-----------------------------------	--	------------------------------------

Joint Standing Committee on Education and Cultural Affairs

LD 578 proposed to remove the annual cap on appropriations the City of Portland may make in support of the library and its operations.

Committee Amendment "A" (S-104) proposed to add an emergency preamble and an emergency clause to the bill.

Enacted law summary

Private and Special Law 2005, chapter 16 removes the annual cap on appropriations the City of Portland may make in support of the library and its operations.

Private and Special Law 2005, chapter 16 was enacted as an emergency measure effective May 20, 2005.

LD 594

An Act To Promote Education in the Unorganized Territory

PUBLIC 30

Sponsor(s)
PERRY A
DAMON

Committee Report
OTP

Amendments Adopted

LD 594 proposed to require the Department of Education to adopt major substantive rules to establish standards and practices to follow when proposing to close a school in the unorganized territory.

Enacted law summary

Public Law 2005, chapter 30 requires the Department of Education to adopt major substantive rules to establish standards and practices to follow when proposing to close a school in the unorganized territory.

LD 603

An Act To Ensure Accommodation of Students with Disabilities or Illnesses in the University of Maine System and the Maine Community College System

ONTP

Sponsor(s)
GLYNN

Committee Report
ONTP

Amendments Adopted

LD 603 proposed to provide a framework for the accommodation of students with disabilities and students with illnesses in the University of Maine System and in the Maine Community College System. The bill proposed to require the adoption of a request form and particular weight to be given to the recommendations of health care professionals. The bill proposed to set 30 days as the time limit for the university or the system to decide upon an accommodation request and proposed to require refunds to students for whom the accommodation request is not decided within that time limit. The bill also proposed to limit legal fees.

Joint Standing Committee on Education and Cultural Affairs

LD 618 **An Act To Promote Parental Responsibility When Minors Make Use of Public Libraries** **ONTP**

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

LD 618 proposed to require public municipal and state libraries to release confidential records concerning a minor's use of books or other materials in the library upon the written request of a parent or guardian of the minor.

LD 624 **An Act To Amend the Procedure by Which Maine Education Assessment Scores Are Interpreted** **PUBLIC 118**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ ONTP MIN	H-216

LD 624 proposed to require a student's Maine Education Assessment scores in a specialized or regionalized program or school to be assigned to the community where the student resides. The bill proposed to require the Commissioner of Education to adopt routine technical rules to implement the provisions of the bill.

Committee Amendment "A" (H-216), which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to clarify that the Maine Education Assessment scores for a student who receives education from a regional alternative education program or a regional special education program could be assigned to the community or school within the school administrative unit where the student resides.

Enacted law summary

Public Law 2005, chapter 118 requires that the Maine Education Assessment scores for a student who receives education from a regional alternative education program or a regional special education program may be assigned to the community or school within the school administrative unit where the student resides. The law requires the Commissioner of Education to adopt routine technical rules to implement these provisions.

LD 665 **Resolve, Directing the Department of Education To Clarify Graduation Requirements for Special Education Students** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON TURNER	ONTP	

LD 665 proposed to direct the Department of Education to review federal laws, state statutes and rules of the Department of Education related to the role of individual education plans in determining specific graduation requirements for special education students. The Department of Education would have been directed to present a

Joint Standing Committee on Education and Cultural Affairs

report, including suggested legislation, to resolve conflicts to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2005. The Joint Standing Committee on Education and Cultural Affairs would have been authorized to introduce a bill related to this report to the Second Regular Session of the 122nd Legislature.

LD 666 An Act To Require Approval of Voters before Closing a School ONTP

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

LD 666 proposed to require the Commissioner of Education to adopt major substantive rules to establish standards and practices to follow when proposing to close a public school.

LD 675 An Act To Require That Students Meet Learning Results Requirements before Entering Grade 9 ONTP

<u>Sponsor(s)</u> NUTTING J FINCH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

LD 675 proposed to require that students must meet the learning results requirements for grade 8 before being allowed to enter grade 9.

LD 676 Resolve, Regarding the No Child Left Behind Act of 2001 RESOLVE 54

<u>Sponsor(s)</u> BRENNAN NORTON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-200
--	--	-----------------------------------	--	------------------------------------

LD 676 proposed to direct the Attorney General to bring suit against the Federal Government and any other appropriate parties if the federal funding provided to the State was insufficient to implement the No Child Left Behind Act of 2001. The Attorney General could seek the necessary funding or could seek relief from the imposition of the federal requirements for which funding was insufficient.

Committee Amendment "A" (S-200) proposed to direct the Attorney General to bring suit against the Federal Government if the State received insufficient federal funds to implement the federal No Child Left Behind Act of 2001. This amendment instead proposed to direct the Attorney General to determine whether an increase in federal funding was necessary to fully implement the federal Act in this State or whether there was a basis for relief from certain federal requirements. If, based on the review, the Attorney General determined that the federal funding was insufficient or there was a basis for relief, this amendment proposed to authorize the Attorney General to bring an action against the Federal Government and appropriate parties.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Resolve 2005, chapter 54 directs the Attorney General to determine whether an increase in federal funding is necessary to fully implement the federal No Child Left Behind Act of 2001 in this State or whether there is a basis for relief from certain federal requirements. If, based on the review, the Attorney General determines that the federal funding is insufficient or there is a basis for relief, this resolve authorizes the Attorney General to bring an action against the Federal Government and appropriate parties.

LD 679 **An Act To Encourage Effective Education of Special Needs Students in Maine's Private Schools** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO DAVIS G	ONTP	

LD 679 proposed to allow the Commissioner of Education to waive the requirement that private schools comply with rules for the conduct of special education programs within public schools if the commissioner finds that the private school has, and has had for at least 5 years, an effective program helping exceptional students and if the commissioner finds the program is likely to continue to be effective.

LD 701 **An Act To Ensure Equality in School Funding** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN NUTTING J	ONTP	

LD 701, which was a concept draft pursuant to Joint Rule 208, proposed to have the Joint Standing Committee on Education and Cultural Affairs amend the Essential Programs and Services Funding Act to ensure that money is distributed in order to ensure that an equal number of property tax mills are raised in all school districts to ensure an equal chance at a good education in Maine.

LD 708 **An Act Regarding Transferability of Credits Earned at All Campuses within the University of Maine System** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANNIS DAVIS P	ONTP	

LD 708 proposed to guarantee that any credit hours earned at any campus in the University of Maine System must be accepted at all campuses and transferable to any campus within the system.

Joint Standing Committee on Education and Cultural Affairs

LD 724 **An Act To Amend the Maximum Allowable Tuition for Students in the Unorganized Territory** **ONTP**

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

LD 724 proposed requiring the Commissioner of Education is required to pay for each tuition student from the unorganized territory attending a public secondary schools an amount calculated to represent the sum of expenditures for at the receiving public secondary education divided by the number of students. The bill proposed eliminating the state average cost as a possible tuition rate in these circumstances.

LD 724 did not pass. However, changes in tuition payments for students residing in the unorganized territories were enacted as Part QQQQ of Public Law 2005, Chapter 12. (See the bill summary for LD 468 under the Appropriations and Financial Affairs Committee.)

LD 726 **An Act To Require Legislative Review of Rules Governing Private Schools** **PUBLIC 194**

<u>Sponsor(s)</u> CUMMINGS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-246
-------------------------------	--	-----------------------------------	--	------------------------------------

LD 726 proposed making any new Department of Education rules governing private schools major substantive rules.

Committee Amendment "A" (H-246) proposed clarifying that amendments to existing rules as well as new rules are major substantive rule when the rules affect private schools.

Enacted law summary

Public Law 2005, chapter 194 makes any new Department of Education rules governing private schools, as well as amendments to existing rules that affect private schools, major substantive rules.

LD 764 **Resolve, To Study Ways To Create More Teachers of Modern and Classical Languages** **ONTP**

<u>Sponsor(s)</u> BOWLES COURTNEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

LD 764 proposed requiring the Department of Education to determine whether there is a shortage of teachers of classical and modern languages in this State and, if a shortage exists, suggest ways to alleviate the shortage.

Joint Standing Committee on Education and Cultural Affairs

LD 783 **An Act To Require That the Pupil Evaluation Team Set Graduation Standards for Special Education Students** **ONTP**

<u>Sponsor(s)</u> MARLEY MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

LD 783 proposed to reestablish the role of the individual education plan as the controlling factor in determining the specific graduation requirements for special education students.

LD 784 **Resolve, Directing the Department of Education To Conduct a Fiscal Analysis of State Requirements That School Administrative Units Implement Local Assessment Systems** **ONTP**

<u>Sponsor(s)</u> GOLDMAN TURNER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 784 proposed to direct the Department of Education to conduct a fiscal analysis of the state requirement that each school administrative unit must adopt and implement a local assessment system. The Department of Education would have been required to submit its report to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2005.

LD 796 **An Act To Implement the Recommendations of the Commission To Study Public Health That Concern Schools, Children and Nutrition** **PUBLIC 435**

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-268
-----------------------------	--	-----------------------------------	--	------------------------------------

LD 796 proposed implementing the recommendations of the Commission to Study Public Health concerning schools, children and nutrition. The bill proposed the following:

1. Requiring schools to provide nutrition education for students, teachers and staff and requiring a parent outreach component for nutrition education;
2. Requiring food and beverages sold or distributed on school grounds but outside of school meal programs to adhere to healthy foods and beverages standards established in statute and rule.
3. Requiring schools to post nutritional information for menu items;
4. Directing school boards to prohibit advertising of foods and beverages other than "healthy foods and beverages" on school grounds;

Joint Standing Committee on Education and Cultural Affairs

5. Prohibiting schools from using food and beverages as a reward or incentive for learning or behavior in a school setting;
6. Requiring that, after December 2005, new contractual agreements for teachers must provide at least 20-minute lunch periods for students and teachers;
7. Requiring confidential assessments for body mass index for Maine schoolchildren in kindergarten and compilation and reporting of this data ;
8. Requiring elementary and middle school students to participate in 150 minutes of physical activity per week outside of recess and high school students to participate in 220 minutes of physical activity per week and establishing a physical education consultant position within the Department of Education;
9. Directing the Department of Health and Human Services, Bureau of Health and the Attorney General to determine whether advertising of certain foods and beverages directed at children 12 years of age or younger can legally be restricted on Maine television stations;
10. Directing the Department of Education to implement a pilot program to install dairy vending machines selling flavored and unflavored milk with 1% or less fat in schools;
11. Directing the Department of Education and the Department of Agriculture, Food and Rural Resources to collaborate to implement the National Farm to School Program to provide local fruits and vegetables in schools;

Committee Amendment "A" (S-268) is the unanimous report of the Joint Standing Committee on Education and Cultural Affairs. It proposed removing several sections from the bill.

Enacted law summary

Public Law 2005, chapter 435 implements certain recommendations of the Commission to Study Public Health concerning schools, children and nutrition. It does the following:

Directs the Department of Education to encourage nutrition education in public schools;

Directs the Department of Education to establish standards for food and beverages sold outside of the school meal programs. These standards are to be adopted through rulemaking. The rules are designated major substantive rules;

Requires schools to post caloric information on prepackaged a la carte items offered for sale;

Directs the Department of Education to implement a pilot program to install milk vending machines; and

Directs the Department of Education to collaborate with the Department of Agriculture, Food and Rural Resources to implement the National Farm to School Program.

Joint Standing Committee on Education and Cultural Affairs

LD 797 **An Act Authorizing the State Board of Education To Mediate School Attendance Disputes** **ONTP**

<u>Sponsor(s)</u> NUTTING J BRYANT-DESCHENE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

LD 797 proposed to authorize the State Board of Education to mediate a dispute between school administrative units over an attendance disagreement when a student wishes to attend a school that is close geographically but outside the school administrative unit in which the student lives.

LD 807 **An Act Regarding Veterans' Educational Assistance Benefits at the University of Maine System** **ONTP**

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

LD 807 proposed to prohibit the University of Maine System from charging a late fee or any other additional fee to a recipient of a federal military educational assistance benefit.

LD 811 **An Act To Assist the Implementation of the Essential Programs and Services School Funding Model** **ONTP**

<u>Sponsor(s)</u> PERRY A RAYE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--------------------------------------	--	---------------------------------	--	---------------------------

LD 811, which was a concept draft pursuant to Joint Rule 208, proposed to amend the Essential Programs and Services Funding Act in ways designed to assist school administrative units in implementing the law.

LD 820 **An Act To Amend the Curriculum Requirements for High School Students** **ONTP**

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

LD 820 proposed to require every high school student to receive instruction in the legislative process in order to graduate. The instruction would provide the student with an understanding of the legislative process and include a requirement that the student follow through the legislative process a piece of legislation sponsored by a local

Joint Standing Committee on Education and Cultural Affairs

legislator. The student would give an oral, written or electronic presentation on the process and the final disposition of the piece of legislation.

LD 845 **An Act Regarding Private Schools' Using Public Tuition Funds** **ONTP**

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

LD 845 proposed requiring an opinion by the Attorney General that a private school does not provide a nonsectarian education before the Department of Education would be able to deny the private school public funds for tuition purposes.

LD 856 **An Act Allowing School Unions To Improve Efficiency** **PUBLIC 130**

<u>Sponsor(s)</u> MERRILL DAMON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-234
---------------------------------------	--	-----------------------------------	--	------------------------------------

LD 856 proposed to allow a school union to be the fiscal agent for the schools in the union. This bill proposed to allow municipalities to turn over the school appropriation for schools directly to the school union if the towns in the school union agreed through a referendum or a town meeting vote. The school union would be authorized to hire personnel that are shared between different schools in the union, such as a school nurse.

Committee Amendment "A" (H-234) proposed to clarify that the superintendent of a school union may be designated as the treasurer of the school union and that the union committee could perform the function of fiscal agent of the school union if these designations were approved by a majority of the voters of each municipality within the school union. The amendment also proposed to require that the article that is placed before the voters in each municipality within the school union to approve these designations would specify the functions to be performed by the fiscal agent, would state that the agreement under which the union committee may perform the function of fiscal agent may not exceed a period of 3 years and would include a schedule for regular payment of the warrants approved in each municipality to the union committee. The agreement under which the union committee could perform the function of fiscal agent could also be renewed by the voters of each municipality within the school union in accordance with these same approval procedures.

Enacted law summary

Public Law 2005, chapter 130 provides that the superintendent of a school union may be designated as the treasurer of the school union and that the union committee may perform the function of fiscal agent of the school union if these designations are approved by a majority of the voters of each municipality within the school union. The law also authorizes a school union to hire personnel that are shared between different schools in the union.

Joint Standing Committee on Education and Cultural Affairs

LD 866 **Resolve, To Direct the Department of Education To Review the School Facility Needs of the State and To Develop Standards for Cost-effective Financing of School Facilities** **ONTP**

<u>Sponsor(s)</u> GOLDMAN MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 866 proposed to direct the Department of Education to conduct a review of the school facilities inventory in order to evaluate the cost-effectiveness of existing state policies for financing school construction and to forecast the level of public investment necessary to meet the capital improvement needs of public schools over the next decade. The Department of Education would have been required to submit its report to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2005.

LD 875 **An Act To Change the Procedure When a Maine School Administrative District Budget Fails** **ONTP**

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

Under current law, if a budget or portion thereof fails after a referendum vote, the board of directors of the school administrative district is authorized to schedule unlimited meetings to resubmit the budget to the voters. LD 875 proposed to authorize one subsequent meeting to resubmit the budget to the voters, and if it again fails, the budget or portion of the budget adopted in the immediately preceding year replaces the budget or portion of the budget that the voters failed to approve.

LD 883 **An Act To Require All School Administrators To Spend Time Weekly in the Classroom with Students** **ONTP**

<u>Sponsor(s)</u> CLUKEY SHERMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 883 proposed requiring school administrative officials, including the Commissioner of Education, to spend at least 30 minutes per week in the classroom teaching or supervising students. Certification of those officials would be contingent upon fulfilling this requirement.

Joint Standing Committee on Education and Cultural Affairs

LD 887

An Act To Amend the Education Laws Regarding Equivalent Instruction, Medical Screening and Adult Education

PUBLIC 151

<u>Sponsor(s)</u> ANDREWS NORTON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-133
--	-----------------------------------	------------------------------------

LD 887 proposed allowing legal resident pupils of the unorganized territory to participate in regular classes and cocurricular and extracurricular activities in the school administrative unit that the pupil would regularly attend if the pupil were not receiving equivalent instruction. Tuition would be determined as with all students enrolled in an equivalent instruction program.

LD 887 proposed repealing the requirement that schools screen children for scoliosis and related spinal abnormalities.

LD 887 also proposed reducing paperwork and allowing school administrative units to directly receive subsidies for secondary school-age students being served through adult education. Currently, a school administrative unit is allowed to request subsidy only on those secondary school-age students who reside in that school unit.

Committee Amendment "A" (S-133) removes those sections in the bill that repealed the requirement that schools screen children for scoliosis and related spinal abnormalities and report results of screening to a student's parents. It also clarifies that a parent's approval is not needed for school superintendents to approve a transfer for the purposes of subsidy when the student is at least 18 years of age or an emancipated minor.

Enacted law summary

Public Law 2005, chapter 151 revises the statute regarding participation in public schools by students enrolled in equivalent instruction programs to include pupils who reside in the unorganized territory. It allows legal resident pupils of the unorganized territory to participate in classes and cocurricular and extracurricular activities in the school administrative unit that the pupil would regularly attend if the pupil were not receiving equivalent instruction. The law also revises a section of the adult education statute to provide a mechanism for a school administrative unit to directly receive subsidy for secondary school-age students being served through the adult education in the school administrative unit, regardless of the student's residency status.

LD 897

An Act To Improve the Quality of Kindergarten Education in Maine

ONTP

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

LD 897 proposed changing the date of when a person must be 5 years of age to enroll in school from October 15th to September 1st. It also proposed changing the date of when a person must be 4 years of age to enroll in a 2-year childhood education program prior to grade one from October 15th to September 1st.

Joint Standing Committee on Education and Cultural Affairs

LD 921 **An Act To Restructure the Board of Trustees of the Maine School of Science and Mathematics** **PUBLIC 129**

<u>Sponsor(s)</u> CUMMINGS BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-188
---	--	-----------------------------------	--	------------------------------------

LD 921 proposed restructuring the Board of Trustees of the Maine School of Science and Mathematics, changing the number of members of the general public from 8 to 9 and removing the President of the Maine Science and Technology Foundation as a member.

Committee Amendment "A" (H-188) proposed additional changes to the Board of Trustees of the Maine School of Science and Mathematics.

Enacted law summary

Public Law 2005, chapter 129 restructures the Board of Trustees of the Maine School of Science and Mathematics, changing the number of members appointed by the Governor from the general public to 10 and specifying that one of the 10 must be a graduate of the school and one must be a parent of a student or recent graduate of the school. The law also removes the President of the Maine Science and Technology Foundation and the President of the Maine Community College System as board members.

LD 931 **An Act To Ensure Equitable Treatment of Students by Private Secondary Schools with a Majority of Students Funded by the State** **ONTP**

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

LD 931, which was a concept draft pursuant to Joint Rule 208, proposed to require private high schools that receive the majority of their students as publicly funded tuition students to follow the same state education rules that public high schools follow.

LD 951 **An Act To Amend Adjustments to Transportation Costs under the School Funding Formula** **ONTP**

<u>Sponsor(s)</u> MILLS J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
------------------------------	--	---------------------------------	--	---------------------------

LD 951 proposed to change the definition of "predicted per-pupil transportation costs" for purposes of determining state funding by allowing adjustments for an unusual number of one-way or dead-end runs and any other factors that could cause an undue burden on the school administrative unit.

Joint Standing Committee on Education and Cultural Affairs

LD 979

An Act To Fund Youth Mentoring Programs

CARRIED OVER

<u>Sponsor(s)</u> FISCHER EDMONDS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-332
---	-----------------------------------	------------------------------------

LD 979 proposes establishing the Maine Mentoring Partnership Grant Program administered by the Department of Education through the Maine Mentoring Partnership to provide grants to eligible entities for mentoring programs that provide guidance, support and encouragement to young people through the development of structured relationships. As proposed, grants would range from \$1,000 to \$75,000, depending on financial need.

Committee Amendment "A" (H-332) incorporates a fiscal note.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

LD 981

An Act To Add an Organizational Name to the Governor Baxter School for the Deaf

PUBLIC 279

<u>Sponsor(s)</u> CUMMINGS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-481
-------------------------------	-----------------------------------	------------------------------------

LD 981 proposed to change the name of the Governor Baxter School for the Deaf to the Maine Educational Center for the Deaf and Hard of Hearing but retain the old name for the center school on Mackworth Island. The name change was intended to better reflect the range of services provided to the deaf and hard-of-hearing pursuant to state law.

Committee Amendment "A" (H-481) proposed to change the title of the bill and proposed to strike and replace the bill to provide an expanded organizational name to the Governor Baxter School for the Deaf in order to better reflect the range of programs and services provided to the deaf and hard-of-hearing pursuant to state law. The expanded name of the organization was proposed to be the Maine Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf. The amendment also proposed to retain the name Governor Baxter School for the Deaf for the center school located on Mackworth Island. The amendment also proposed to correct cross-references in the statutes to reflect the name change.

Enacted law summary

Public Law 2005, chapter 279 provides an expanded organizational name to the Governor Baxter School for the Deaf in order to better reflect the range of programs and services provided to the deaf and hard-of-hearing pursuant to State law. The expanded name of the organization is the Maine Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf. The law also retains the name Governor Baxter School for the Deaf for the center school located on Mackworth Island.

Joint Standing Committee on Education and Cultural Affairs

LD 989 **Resolve, To Study the Insured Value Factor in School Tuition** **RESOLVE 38**

<u>Sponsor(s)</u> ANDREWS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-126
------------------------------	--	-----------------------------------	--	------------------------------------

LD 989 proposed directing the Department of Education jointly with public school officials and private school representatives to study the current application of the insured value factor and the need for its continuation in tuition computation and to submit a proposal to the Joint Standing Committee on Education and Cultural Affairs.

Committee Amendment "A" (S-126) proposed revisions to the resolve, requiring the Department of Education to convene a task force to study the insured value factor and specifying interests to be represented on the task force.

Enacted law summary

Resolve 2005, chapter 38 directs the Department of Education to convene a task force to study the current application of the insured value factor and assess the need for its continuation in tuition computation. The task force is directed to submit a proposal to the Joint Standing Committee on Education and Cultural Affairs no later than January 9, 2006. The Joint Standing Committee on Education and Cultural Affairs is authorized to introduce a bill related to the insured value factor to the Second Regular Session of the 122nd Legislature.

LD 1024 **Resolve, To Review and Recodify Laws Pertaining to Violence in Our Schools** **RESOLVE 120**

<u>Sponsor(s)</u> DAVIS G		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-393 S-382 GAGNON
------------------------------	--	-----------------------------------	--	--

LD 1024 proposed allowing a school board to suspend a student for up to one year if the student engages in threatening or violent behavior against another student or a staff member or other school personnel. It proposed requiring school boards to establish a written policy and penalties and to provide a copy of the policy and penalties to all students.

Committee Amendment "A" (H-393) proposed replacing the bill with a resolve that directs the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to identify provisions in the Maine Revised Statutes, Title 20-A that pertain to violent and threatening behavior in schools and prepare a bill to make technical changes and reorganize these provisions for submission to the Second Regular Session of the 122nd Legislature.

Senate Amendment "A" to Committee Amendment "A" (S-382) proposed amending the resolve to conform with the Joint Rules and Standards for Legislative Studies adopted by the Legislative Council.

Enacted law summary

Joint Standing Committee on Education and Cultural Affairs

Resolve 2005, chapter 120 directs the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to identify provisions in the Maine Revised Statutes, Title 20-A that pertain to violent and threatening behavior in schools and prepare a bill to make technical changes and reorganize these provisions for submission to the Second Regular Session of the 122nd Legislature.

LD 1030 **An Act To Strengthen Certain Student Support Services within the
Maine Community College System** **PUBLIC 178**

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

LD 1030 proposed to eliminate the Skill Standards Board. This bill also proposed to amend the Maine Career Advantage Program by enhancing its services to better meet the needs of the students the program was intended to reach, those students that are not traditionally considered college bound.

Enacted law summary

Public Law 2005, chapter 178 eliminates the Skill Standards Board and amends the Maine Career Advantage Program by enhancing its services to better meet the needs of the students the program was intended to reach, those students that are not traditionally considered college bound.

LD 1031 **RESOLUTION, Proposing an Amendment to the Constitution of
Maine Regarding the Funding of Local Schools** **ONTP**

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

LD 1031 proposed an amendment to the Constitution of Maine to strike the words requiring that towns make suitable provision for the support and maintenance of schools. This resolution proposed to add language requiring the Legislature to support schools and proposed to seek to ensure that a program of uniform and high-quality education was established and continuously maintained at all schools in the State.

LD 1037 **An Act To Authorize Exemptions for Montessori Schools from
Certain Requirements** **PUBLIC 224**

<u>Sponsor(s)</u> GAGNON PINGREE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-178
--	--	-----------------------------------	--	------------------------------------

Joint Standing Committee on Education and Cultural Affairs

LD 1037 proposed authorizing the Commissioner of Education and the Commissioner of Health and Human Services to grant exemptions to accredited schools that ascribe to internationally recognized teaching philosophies from requirements that conflict with the basic tenets of those philosophies.

Committee Amendment "A" (S-178) proposed narrowing the authorization for the Commissioner of Health and Human Services to grant exemptions from certain licensing requirements for child care facilities and nursery schools only to accredited Montessori schools.

Enacted law summary

Public Law 2005, chapter 224 authorizes the Commissioner of Education and the Commissioner of Health and Human Services to grant exemption from certain licensing requirements for child care facilities and nursery schools to accredited Montessori schools.

LD 1048 **Resolve, Directing the State Board of Education To Review the Authorization Requirements for Educational Technicians** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT NORTON	ONTP	

LD 1048 proposed to direct the State Board of Education to review the authorization requirements for Educational Technician II and Educational Technician III positions and to consider establishing an alternative pathway for applicants to demonstrate fulfillment of those requirements.

LD 1055 **An Act To Require Academic and Community Input into Major Decisions of the University of Maine System** **CARRIED OVER**

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

LD 1055 proposed to require the University of Maine System to seek input from parties, including administration and faculty members of campuses and colleges, municipalities and the Maine Community College System, that are affected by a major policy decision by the University of Maine System. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

Joint Standing Committee on Education and Cultural Affairs

LD 1061 **An Act To Improve the Recruitment of Teachers** **ONTP**

<u>Sponsor(s)</u> MILLS P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
------------------------------	--	---------------------------------	--	---------------------------

LD 1061 proposed to:

1. Set the minimum salaries of teachers at 1.5 times the federal poverty threshold;
2. Set the minimum salaries of teachers who possess master's degrees or higher at 1.5 times the federal poverty threshold plus \$2,000;
3. Establish the Teacher Loan Forgiveness Program to provide funds to forgive loans incurred at Maine postsecondary schools by teachers who teach in the State; and
4. Establish the Vacant Teaching Position Fund to provide funds to subsidize school administrative units that cannot fill needed teaching positions by September 1st.

LD 1062 **An Act To Provide Financial Accommodation under the Essential Programs and Services Funding Act for School Systems with Dead-end Bus Runs** **ONTP**

<u>Sponsor(s)</u> WOODCOCK SAVIELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

LD 1062 proposed to provide for counting the mileage for both directions of a dead-end bus run in determining the funding for the transportation component of public school costs under the Essential Programs and Services Funding Act.

LD 1088 **Resolve, Directing the Department of Education To Review Specific Testing Requirements for Student Advancement** **ONTP**

<u>Sponsor(s)</u> JACKSON MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1088 proposed to direct the Department of Education to review the state law and department rules related to specific testing requirements for student advancement and to consider establishing an alternate requirement for student advancement.

Joint Standing Committee on Education and Cultural Affairs

LD 1130 **An Act To Allow a State Champion Cross-country Running Team To Participate in New England Competitions** **ONTP**

<u>Sponsor(s)</u> NUTTING J TUTTLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1130 proposed a statutory provision to allow a state champion cross-country running team to participate in a New England cross-country competition if the team raises the funds to attend the competition. The Maine Principal's Association establishes policies regarding participation in New England sports competitions.

LD 1137 **An Act To Ensure Implementation of All Content Areas of the System of Learning Results** **ONTP**

<u>Sponsor(s)</u> WEBSTER MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1137 proposed to repeal a provision that allowed a school administrative unit to delay adoption of the system of learning results in the areas of career preparation, foreign languages and visual and performing arts, requiring all subject areas in the system of learning results to be implemented. School administrative units would be required to employ an orderly planning process to achieve implementation on time.

LD 1138 **An Act To Reduce School Construction Costs** **ONTP**

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

LD 1138 proposed to require the State Board of Education to adopt rules to define what constitutes small, medium and large schools. The state board would have been required to develop standard school construction plans for small, medium and large elementary schools, middle schools and high schools. A school administrative unit that would apply for state support for new school construction would select the standard design for the construction of the new school in order to have the project fully funded.

LD 1175 **An Act Concerning Diplomas and Students with Disabilities** **ONTP**

<u>Sponsor(s)</u> WOODCOCK SAVIELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
---	--	---------------------------------	--	---------------------------

Joint Standing Committee on Education and Cultural Affairs

LD 1175 proposed to award diplomas to students who complete the goals of those students' individualized education plans.

LD 1185 An Act To Augment and Diversify the Ranks of Maine Educators ONTP

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

LD 1185 proposed to allow an experienced teacher who is certified or licensed to teach in a foreign country to apply for a special certificate to teach in Maine.

LD 1187 An Act To Create a Senior Life Educator Certificate Program ONTP

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

LD 1187 proposed to allow an individual who does not have a teaching certificate but has life experience and a master's degree or above to be issued a senior life educator certificate.

**LD 1193 RESOLUTION, Proposing an Amendment to the Constitution of ONTP
Maine To Ensure Equal Access to Education for Children in All
Parts of the State**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MERRILL NUTTING J	ONTP	

LD 1193 proposed to expand on the education provisions currently in the Constitution of Maine to guarantee that if the State undertakes to support local schools it must do so in a way that equalizes opportunity for all children whether they live in service center communities or in rural areas.

It also proposed to prevent the State from taking any steps that would lead to the closure of isolated schools if the closure would force children under 12 years of age to spend more than 2 hours on a school bus or children 12 years of age or over to spend more than 3 hours on a bus.

It also proposed to guarantee every municipality the freedom to decide how its schools would be organized and proposed to permit the State to adjust its aid to account for any inefficiency that would result from those local decisions.

It also proposed to make clear that these rights extend to and are enforceable by every Maine taxpayer.

Joint Standing Committee on Education and Cultural Affairs

LD 1194

An Act To Create an Academic Bill of Rights

ONTP

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

LD 1194 proposed to create an academic bill of rights that would ensure an academic environment for both students and faculty members that allows freedom of political viewpoint, expression and instruction. This bill proposed to require all public postsecondary institutions in the State to publish this bill of rights and to adopt a grievance procedure to address complaints of violations of these rights. This bill also proposed to require public postsecondary institutions in the State to include in their hiring policies that the institutions would endeavor to ensure a diversity of political and philosophical viewpoints in faculty members and instructors and that the institutions could not discriminate in their hiring policies against applicants for a faculty position or instructorship for reasons of political or philosophical viewpoints.

LD 1200

An Act To Establish a Uniform Private Facilities Tuition Rate Establishment Procedures

PUBLIC 153

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH	OTP-AM	H-292

LD 1200 proposed establishing a single rate-setting process for all tuition subject to approval by the Commissioner of Education and limiting tuition increases from one year to the next.

Committee Amendment "A" (H-292) proposed allowing the approval process used by private secondary schools receiving public funds to be used for approving other private schools to receive public funds.

Enacted law summary

Public Law 2005, chapter 153 establishes a single rate-setting process for all tuition subject to approval by the Commissioner of Education, including tuition for private special purpose education facilities that exclusively serve exceptional students and tuition for private general purpose schools that receive state aid for special education programs. Chapter 153 limits tuition increases from one year to the next. It also allows the approval process used by private secondary schools receiving public funds to be used for approving other private schools to receive public funds.

Joint Standing Committee on Education and Cultural Affairs

LD 1221 **Resolve, To Replace the Current Assessment Exams with a More Appropriate Test** **ONTP**

<u>Sponsor(s)</u> SAVIELLO NUTTING J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1221 proposed to direct the Department of Education to develop a more appropriate examination to replace the current examination under the Maine Education Assessment program and the intermediate grade level assessment given pursuant to the federal No Child Left Behind Act of 2001.

LD 1241 **An Act To Ensure Public Accountability in the Delivery of Higher Education Services** **ONTP**

<u>Sponsor(s)</u> MITCHELL DUPLESSIE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1241 proposed to require that prior to final adoption or implementation of any restructuring plan, the Board of Trustees of the University of Maine System must first submit the restructuring plan to the joint standing committee of the Legislature having jurisdiction over education matters, which would have had the authority to report out legislation to approve or reject the restructuring plan.

As emergency legislation, this bill proposed to apply to any restructuring plan developed or adopted by the Board of Trustees of the University of Maine System after September 1, 2004; and the requirements of any such plan would have been suspended and would not be implemented until legislation approving the restructuring plan takes effect.

LD 1251 **Resolve, To Establish a System for Verification of Proficiency for Prelingually Deaf Candidates for Teacher Certification** **RESOLVE 72**

<u>Sponsor(s)</u> EDMONDS PERCY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-235
---------------------------------------	--	-----------------------------------	--	------------------------------------

LD 1251 proposed to direct the Department of Education to adopt major substantive rules to establish a system for verifying the proficiency of prelingually deaf candidates for teacher certification.

Committee Amendment "A" (S-235) proposed to replace the resolve and proposed to require the State Board of Education to amend the teacher certification rules to provide an alternative means for prelingually deaf teacher certification candidates to demonstrate their proficiency. The amendment also proposed to suspend the limitation on targeted need certificates for prelingually deaf teachers to allow prelingually deaf teacher certification candidates more time to demonstrate their proficiency.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Resolve 2005, chapter 72 requires the State Board of Education to amend the teacher certification rules to provide an alternative means for prelingually deaf teacher certification candidates to demonstrate their proficiency. The resolve also suspends the limitation on targeted need certificates for prelingually deaf teachers to allow prelingually deaf teacher certification candidates more time to demonstrate their proficiency.

LD 1279 **Resolve, To Study Improving the Affordability and Predictability of College Tuition for Maine Students** **ONTP**

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

LD 1279 proposed to direct the University of Maine System to study the feasibility of freezing tuition for newly enrolled resident undergraduate students at the amount of tuition charged for the first year for those students. The resolve also proposed to direct the University of Maine System to study exceptions to the consecutive-year requirement and the establishment of a committee at each university campus to determine whether a student meets the requirements of an exception to the consecutive-year requirement.

LD 1295 **An Act To Establish the Maine Enterprise Commerce Center of Augusta** **ONTP**

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

LD 1295 proposed to establish the Maine Enterprise Commerce Center of Augusta within the University of Maine System to provide educational services, small business promotion and services and economic development resources, through an interactive television network, the Internet and other technology, to people throughout the State and to provide specific resources and information concerning economic issues of interest to central and northern Maine. The bill proposed to transfer the equipment and assets that are part of the interactive television network currently housed at the University of Maine at Augusta to the new center.

LD 1312 **Resolve, To Institute a State Magnet School for Languages** **ONTP**

<u>Sponsor(s)</u> PARADIS MITCHELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

Joint Standing Committee on Education and Cultural Affairs

LD 1312 proposed to direct the Department of Education to develop a proposal for a magnet school for languages with the purpose of providing certain high-achieving high school students with a challenging educational experience based upon the same format as the Maine School of Science and Mathematics in Limestone.

LD 1317 **An Act To Prohibit and Provide Penalties for the Issuance, PUBLIC 429**
Manufacture and Use of False Academic Degrees or Certificates

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
CAIN		OTP-AM		H-273

LD 1317 proposed to make it illegal to issue, manufacture and use false academic degrees or certificates to obtain employment, to obtain promotion or higher compensation in employment, to obtain admission to an institution of higher learning or in connection with any business, trade, profession or occupation. This bill also proposed to authorize the Department of Education to protect consumers by providing Internet site information naming and updating known state, national and international diploma mills, degree mills, accreditation mills and substandard schools.

Committee Amendment "A" (H-273) proposed to incorporate a fiscal note.

Enacted law summary

Public Law 2005, chapter 429 makes it illegal to issue, manufacture and use false academic degrees or certificates to obtain employment, to obtain promotion or higher compensation in employment, to obtain admission to an institution of higher learning or in connection with any business, trade, profession or occupation. This law also authorizes the Department of Education to protect consumers by providing Internet site information naming and updating known state, national and international diploma mills, degree mills, accreditation mills and substandard schools.

LD 1318 **Resolve, To Encourage Personal and Family Financial INDEF PP**
Management Education

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
BOWEN		OTP-AM MAJ		H-463
SCHNEIDER		ONTP MIN		

LD 1318 proposed establishing the Commission to Study the Scope and Quality of Personal and Family Financial Management Education.

Joint Standing Committee on Education and Cultural Affairs

LD 1326 **Resolve, Directing the Board of Trustees of the University of
Maine System To Institute a Statewide Sports Program** **DIED BETWEEN
HOUSES**

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

LD 1326 proposed directing the Board of Trustees of the University of Maine System to institute a statewide sports program.

Committee Amendment "A" (S-273), the minority report, proposed requiring the Board of Trustees of the University of Maine System to report to the committee by January 2, 2006 on actions taken to coordinate sports and facilitate league competition among the campuses of the University of Maine System. Committee Amendment A was not adopted.

LD 1332 **Resolve, Directing the Department of Education To Establish a
Secondary Vocational Education Facility in Washington County** **CARRIED OVER**

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

LD 1332 proposed to direct the Department of Education to establish a secondary vocational education facility in Washington County. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 1334 **An Act To Allow School Board Members To Perform Certain
Functions in the School** **ONTP**

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

LD 1334 proposed to allow a member of a school board or the spouse of a member to substitute teach if no other qualified substitute teacher is available and proposed to allow volunteering in other capacities if authorized by school board policy. Current law prohibits school board members or their spouses from being employed by or volunteering in schools within the jurisdiction of the school board to which the member is elected.

Joint Standing Committee on Education and Cultural Affairs

LD 1349 **An Act To Encourage Neighborhood Schools and To Minimize Sprawl Caused by School Siting** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI MILLS P		

LD 1349 proposed to encourage the building of schools only in areas of a municipality that already are served or will be served by a public infrastructure, such as sewer and water systems, sidewalks and bicycle paths. It proposed to allow the State Board of Education to approve school construction only if the site is within an area that is a designated growth area, an area served by a public sewer system, a census-designated place or a compact area. For a site meeting none of these criteria, the bill proposed to require adoption of a comprehensive plan and zoning ordinance by the municipality before the state board may approve a project. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 1381 **An Act To Update Teachers' Minimum Salaries** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL DAVIS G		

LD 1381 proposed to update the law that established a minimum teachers' salary, starting in 1987, of \$15,500, an amount that is now outdated and proposed to increase the amount to \$30,000. The bill also proposed to establish a method for future periodic updating of the minimum salary amount and proposed to outline procedures for the distribution of funds for teachers' salaries. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

LD 1386 **An Act Concerning Town Academies and the System of Learning Results** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS MITCHELL	ONTP	

LD 1386 proposed to accomplish the following:

1. Change "New England Association of Colleges and Secondary Schools" to "New England Association of Schools and Colleges" to reflect its new name;
2. Define "town academy" as a private school approved for tuition that enrolls at least 60% publicly funded students and that is accredited by the New England Association of Schools and Colleges;

Joint Standing Committee on Education and Cultural Affairs

- 3. Clarify the existing law concerning compliance by schools with the system of learning results by specifying what town academies must use for measuring compliance in lieu of the local assessment system used in public schools; and
- 4. Add a reference in the essential programs and services law to the current law governing the maximum allowable tuition rate that may be charged by private schools for students educated at public expense.

LD 1387 Resolve, To Promote Training Centers for Entrepreneurship CARRIED OVER

<u>Sponsor(s)</u> RICHARDSON J MITCHELL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-482
---	-----------------------------------	------------------------------------

LD 1387 proposes including entrepreneurship education principles in the next review of the system of learning results. It proposes requiring the Chancellor of the University of Maine System and the President of the Maine Community College System to develop an entrepreneurship curriculum to be implemented at all University of Maine System and Maine Community College System campuses and to market community colleges as training centers for business owners and operators. This resolve also proposes establishing the Entrepreneurship Education Task Force comprised of the Commissioner of Education, Chancellor of the University of Maine System and the President of the Maine Community College System. It proposes requiring the task force to report to the Joint Standing Committee on Education and Cultural Affairs no later than February 1, 2006.

This resolve proposes directing the Maine Community College System to implement a statewide entrepreneurship training program that covers key aspects of starting a business, and including an appropriation of \$370,000 over 2 years to fund the program and make the program available to the widest possible audience.

Committee Amendment "A" (H-482) proposes changing the title of the resolve and removing the directives for curriculum development. It proposes requiring that the Chancellor of the University of Maine System and the President of the Maine Community College System to review course offerings relating to entrepreneurship and to promote their campuses as entrepreneur training centers. It proposes removing all directives to the Commissioner of Education regarding entrepreneurship at the elementary and secondary levels.

This bill and its adopted amendments were carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122nd Legislature.

LD 1397 An Act Regarding the Wells-Ogunquit Community School District ONTP

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

LD 1397 proposed to change the formula for computing each town's assessment for the expenses of the Wells-Ogunquit Community School District. The current formula bases 67% of the assessments on state valuation and 33% on the number of resident pupils in each town. The formula would have been changed over a 3-year period

Joint Standing Committee on Education and Cultural Affairs

so that the assessments were based entirely on the number of resident pupils in each town. It proposed to remove language that permits the towns to agree to change the formula by separate majority vote in each town and that proposed to require a withdrawal from the community school district to be authorized by special act of the Legislature.

Committee Amendment "A" (S-272), which was the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to strike and replace the bill to require that the Wells-Ogunquit Community School District would address the dispute between the Town of Wells and the Town of Ogunquit over the cost-sharing formula for the school district as follows:

1. The Commissioner of Education would have selected a knowledgeable 3rd party with expertise in education policy to provide technical assistance to the parties, the mediators and the arbitrator in determining the most equitable method of computing each town's assessment for the total expenses of the community school district and to also provide an impartial assessment of the education policy considerations for all kindergarten to grade 12 students residing within the Wells-Ogunquit Community School District;
2. The Town of Wells and the Town of Ogunquit and their representatives would have entered into mediation to resolve their cost-sharing dispute;
3. If the 2 parties failed to agree upon a cost-sharing formula with the assistance of mediation and the knowledgeable 3rd party appointed by the Commissioner of Education, then the Commissioner of Education would have arranged for an arbitration proceeding, which would have resulted in a binding determination of the cost-sharing dispute between the Town of Wells and the Town of Ogunquit;
4. The arbitrator would have made a binding determination for the apportionment of kindergarten to grade 12 education costs, which would have been in effect for fiscal year 2007-08 and subsequent fiscal years; and
5. The Town of Wells and the Town of Ogunquit would have shared equally in the costs of mediation and binding arbitration undertaken to resolve their cost-sharing dispute, and a state mandate account would have been established in the Department of Administrative and Financial Services to receive money from gifts, grants, bequests and donations in addition to money appropriated or allocated by the State for the purpose of providing funds to pay 90% of the total costs associated with the mediation, arbitration and legal services necessary to resolve the issues concerning the sharing of the total expenses of the Wells-Ogunquit Community School District.

LD 1407

**An Act To Allow Municipalities To Offer Subsidies to Parents To
Send Their Children to Other Schools**

ONTP

<u>Sponsor(s)</u> DAIGLE SCHNEIDER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
--	---------------------------------	---------------------------

LD 1407 proposed allowing municipalities to offer a subsidy to a parent of an elementary or secondary student to send the student to a school other than the public school in the school administrative unit in which the parent or student resides. It proposed requiring a parent to send the student to an accredited school that meets the provisions of the system of learning results in order to receive the subsidy.

Joint Standing Committee on Education and Cultural Affairs

LD 1424

An Act To Simplify Implementation of the Maine Learning Results

PUBLIC 446

<u>Sponsor(s)</u> CUMMINGS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-554
-------------------------------	--	-----------------------------------	--	------------------------------------

LD 1424 proposed to simplify implementation of the learning results and proposed to provide for local assessments of reading, writing and math, the core principles of the learning results.

Committee Amendment "A" (H-554) proposed to strike and replace the bill to make several changes to the law in order to simplify the implementation requirements of the system of learning results. The amendment proposed to accomplish the following.

1. It would maintain the existing timelines for implementation of all curriculum and instructional requirements of the system of learning results, including implementation of the content areas of visual and performing arts, foreign languages and career preparation, by the 2007-2008 school year.
2. It would continue the current practice of basing decisions regarding high school graduation and the awarding of high school diplomas upon existing credit-based requirements in law to ensure that all students would continue to have the opportunity to learn and to be awarded a high school diploma.
3. It would amend current law to clarify that a high school diploma would be awarded to those special education students who successfully complete the requirements of the system of learning results as specified in the goals and objectives of their individualized education plans.
4. Beginning in the 2007-2008 school year, it would allow school administrative units to award learning results endorsements in addition to the high school diploma for students who demonstrate attainment of the standards of the system of learning results; and it would establish that, between the 2009-2010 and 2011-2012 school years, the awarding of learning results endorsements would be based on student achievement of the standards of the system of learning results as determined by the school administrative unit's local assessment system in the following content areas:
 - A. By the 2009-2010 school year, English language arts and mathematics;
 - B. By the 2010-2011 school year, English language arts, mathematics, science and technology, social studies and health and physical education; and
 - C. By the 2011-2012 school years, each of the 8 content areas of the system of learning results.
5. It would permit the Commissioner of Education to provide for an alternative measure of student achievement at grade 11 as part of the statewide assessment program.
6. It would provide for greater accountability by:
 - A. Requiring that the Commissioner of Education validate the comprehensive education plan and the local assessment plan for every school administrative unit;

Joint Standing Committee on Education and Cultural Affairs

- B. Directing the Commissioner of Education, beginning in the 2007-2008 school year, to recommend to the Legislature annual targets for the percentage of students to whom school administrative units and private schools that enroll 60% publicly-funded students may award diplomas based on the awarding of credits and the percentage of students receiving learning results endorsements in addition to the high school diploma awarded;
 - C. Requiring that school administrative units and certain private schools, beginning in the 2007-2008 school year, must include in their annual basic school approval reports to the Commissioner of Education the number and the percentage of learning results endorsements awarded in addition to high school diplomas; and
 - D. Directing the Commissioner of Education to provide an annual report by February 1st to the joint standing committee of the Legislature having jurisdiction over education matters regarding the status of implementation of the system of learning results in all school administrative units, including a report on the number and the percentage of learning results endorsements awarded in addition to high school diplomas awarded for each of the 8 content areas of the system of learning results in every school administrative unit in the State.
7. It would authorize the Commissioner of Education to provide technical assistance to school administrative units based on a review of the comprehensive education plan. Current law only permits the commissioner to provide technical assistance when student performance in the school unit indicates that assistance is needed.

Enacted law summary

Public Law 2005, chapter 446 makes several changes to the education statutes in order to simplify the implementation requirements of the system of learning results. The law accomplishes the following.

- 1. It maintains the existing timelines for implementation of all curriculum and instructional requirements of the system of learning results, including implementation of the content areas of visual and performing arts, foreign languages and career preparation, by the 2007-2008 school year.
- 2. It continues the current practice of basing decisions regarding high school graduation and the awarding of high school diplomas upon existing credit-based requirements in law to ensure that all students will continue to have the opportunity to learn and to be awarded a high school diploma.
- 3. It amends current law to clarify that a high school diploma must be awarded to those special education students who successfully complete the requirements of the system of learning results as specified in the goals and objectives of their individualized education plans.
- 4. Beginning in the 2007-2008 school year, it allows school administrative units to award learning results endorsements in addition to the high school diploma for students who demonstrate attainment of the standards of the system of learning results; and it establishes that, between the 2009-2010 and 2011-2012 school years, the awarding of learning results endorsements will be based on student achievement of the standards of the system of learning results as determined by the school administrative unit's local assessment system in the following content areas:
 - A. By the 2009-2010 school year, English language arts and mathematics;

Joint Standing Committee on Education and Cultural Affairs

- B. By the 2010-2011 school year, English language arts, mathematics, science and technology, social studies and health and physical education; and
 - C. By the 2011-2012 school years, each of the 8 content areas of the system of learning results.
5. It permits the Commissioner of Education to provide for an alternative measure of student achievement at grade 11 as part of the statewide assessment program.
6. It provides for greater accountability by:
- A. Requiring that the Commissioner of Education validate the comprehensive education plan and the local assessment plan for every school administrative unit;
 - B. Directing the Commissioner of Education, beginning in the 2007-2008 school year, to recommend to the Legislature annual targets for the percentage of students to whom school administrative units and private schools that enroll 60% publicly-funded students may award diplomas based on the awarding of credits and the percentage of students receiving learning results endorsements in addition to the high school diploma awarded;
 - C. Requiring that school administrative units and certain private schools, beginning in the 2007-2008 school year, must include in their annual basic school approval reports to the Commissioner of Education the number and the percentage of learning results endorsements awarded in addition to high school diplomas; and
 - D. Directing the Commissioner of Education to provide an annual report by February 1st to the joint standing committee of the Legislature having jurisdiction over education matters regarding the status of implementation of the system of learning results in all school administrative units, including a report on the number and the percentage of learning results endorsements awarded in addition to high school diplomas awarded for each of the 8 content areas of the system of learning results in every school administrative unit in the State.
7. It authorizes the Commissioner of Education to provide technical assistance to school administrative units based on a review of the comprehensive education plan. Current law only permits the commissioner to provide technical assistance when student performance in the school unit indicates that assistance is needed.

LD 1425

An Act To Support the Efficient Implementation of Maine's Learning Results

CARRIED OVER

Sponsor(s)
CUMMINGS
WESTON

Committee Report

Amendments Adopted

LD 1425 proposed to provide financial support to existing nongovernmental education organizations that create and manage statewide and regional networks that provide Maine learning results implementation support and services to Maine educators and school systems. This bill was carried over by H.P. 1203 to any special or regular session of the 122nd Legislature.

Joint Standing Committee on Education and Cultural Affairs

LD 1444

Resolve, Regarding Teacher Certification Requirements

RESOLVE 56

Sponsor(s)
FISCHER

Committee Report
OTP-AM

Amendments Adopted
H-394

LD 1444 proposed to allow a person who has completed a postsecondary teacher preparation program in the State approved by the State Board of Education and meets all requirements for an initial certificate to become a new teacher prior to January 1, 2006 to be certified under present Department of Education rules to prevent students in postsecondary teacher preparation programs who are nearing the end of their college degree programs from being penalized by having the certification requirements change prior to the completion of their academic programs.

Committee Amendment "A" (H-394) proposed to clarify that those students who are completing their postsecondary teacher preparation program in December 2005 in the State and meet all requirements for an initial certificate to become a new teacher prior to January 1, 2006 could be eligible for certification under present Department of Education rules. This amendment proposed to delete the provision that was contained in the original resolve that would have required approval of the program by the State Board of Education to ensure that these student applicants, who are not graduates of "approved" teacher preparation programs, would not be penalized by having the certification requirements change prior to the completion of their academic programs.

Enacted law summary

Resolve 2005, chapter 56 allows a person who has completed a postsecondary teacher preparation program in the State and meets all requirements for an initial certificate to become a new teacher prior to January 1, 2006 to be certified under present Department of Education rules.

LD 1446

An Act To Amend the Law Regarding Certification of Educational Personnel

PUBLIC 152

Sponsor(s)
MERRILL
MITCHELL

Committee Report
OTP

Amendments Adopted

LD 1446 proposed to amend the law regarding the certification of educational personnel in 3 ways.

1. It would authorize the granting of a certificate or authorization of personnel who provide early childhood education programs or developmental therapy to all children from birth to age 5. Currently, the certificate or authorization is limited to educational personnel who provide programs or developmental therapy to children birth to school age 5 who have disabilities.
2. It would repeal the requirement for certification that all educational personnel have knowledge of physiology and hygiene and the effects of alcohol, stimulants and narcotics upon the human system.
3. It would revise the conditional certificate for administrators to allow the Department of Education to grant a maximum of 2 one-year conditional administrator certificates. Currently, conditional administrator certificates can be granted for only one year.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Public Law 2005, chapter 152 amends the law regarding the certification of educational personnel in 3 ways.

1. It authorizes the granting of a certificate or authorization of personnel who provide early childhood education programs or developmental therapy to all children from birth to age 5. Currently, the certificate or authorization is limited to educational personnel who provide programs or developmental therapy to children birth to school age 5 who have disabilities.
2. It repeals the requirement for certification that all educational personnel have knowledge of physiology and hygiene and the effects of alcohol, stimulants and narcotics upon the human system.
3. It revises the conditional certificate for administrators to allow the Department of Education to grant a maximum of 2 one-year conditional administrator certificates. Previously, conditional administrator certificates could be granted for only one year.

LD 1451 **Resolve, To Enforce Environmental Health Protection Measures in Public Schools** **ONTP**

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

LD 1451 proposed to require the Department of Education to identify and enforce significant environmental health protection measures for public schools serving kindergarten to grade 12. The department would have been required to develop recommendations for reporting requirements by school administrative units regarding the effectiveness of the measures and possible additional measures.

LD 1454 **An Act To Amend the Laws Regarding the School Revolving Renovation Fund** **PUBLIC 272
EMERGENCY**

<u>Sponsor(s)</u> GOLDMAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-462
------------------------------	--	-----------------------------------	--	------------------------------------

LD 1454 proposed to allow reimbursement from the School Revolving Renovation Fund to school administrative units for costs incurred for first priority status health and safety projects approved by the Commissioner of Education.

Committee Amendment "A" (H-462) proposed to clarify that the amount of the reimbursement that a school administrative unit could receive from the School Revolving Renovation Fund for costs incurred for a first priority status health and safety project could not exceed 70% and could not be less than 30% of the costs of the first priority status health and safety project as determined in accordance with the Maine Revised Statutes, Title 30-A, section 6006-F, subsection 6, paragraph A.

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Public Law 2005, chapter 272 allows reimbursement from the School Revolving Renovation Fund to school administrative units for costs incurred for first priority status health and safety projects approved by the Commissioner of Education. The law provides that the amount of the reimbursement that a school administrative unit may receive from the School Revolving Renovation Fund for costs incurred for a first priority status health and safety project may not exceed 70% and may not be less than 30% of the costs of the first priority status health and safety project as determined in accordance with the Maine Revised Statutes, Title 30-A, section 6006-F, subsection 6, paragraph A.

Public Law 2005, chapter 272 was enacted as an emergency measure effective June 2, 2005.

LD 1457 Resolve, To Reform the Maine Education System ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN NORTON	ONTP	

LD 1457 proposed to direct the Board of Education to convene a task force to review the special education system and to develop a proposal to phase it out and replace it with a new system under which every student, not just special education students, would receive an individual learning plan and eligible children under 9 years of age who are experiencing developmental delays are ensured a free appropriate public education. The department would have been required to invite interested parties and stakeholders to serve as members of the task force.

LD 1469 An Act To Create the Maine Merit Scholarship Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY BARTLETT	ONTP	

LD 1469 proposed to establish a merit-based scholarship program for eligible students who graduate from high school in Maine and who are admitted to one of the institutions of the University of Maine System or the Maine Community College System. Students must have graduated in the top 10% of their classes in high school and family income must be less than \$70,000 a year. The scholarships would have been for the full or partial cost of tuition less any financial aid, awards or grants that reduced the level of tuition. Students would have been required to retain a 3.0 grade point average in college in order to remain in the program. This merit-based scholarship program would have been administered by the Finance Authority of Maine. The Finance Authority of Maine, which would have been given routine technical rule-making authority, could have adjusted these eligibility requirements to control expenditures or increase participation in the program.

Joint Standing Committee on Education and Cultural Affairs

LD 1488 **An Act To Give Parents Control over the Sex Education of Their Children** **ONTP**

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

LD 1488 proposed requiring a school administrator to notify a parent or guardian and obtain the written consent of that parent or guardian before providing comprehensive family life education to a child.

LD 1494 **An Act To Increase Faculty in Maine Nursing Education Programs** **PUBLIC 417**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS ANDREWS	OTP-AM	H-401 S-401 ROTUNDO

LD 1494 proposed to create the nursing education loan repayment program and fund, to be administered by the Finance Authority of Maine, for the purpose of increasing nursing faculty at nursing education programs in the State. The program would repay up to \$4,500 of education loans for a master's degree and up to \$6,000 of education loans for a doctoral degree for a nurse who commits to working as faculty in a nursing education program in the State for a minimum of 3 years after acceptance into the program. This bill proposed to appropriate \$50,000 from the General Fund each year for the next 2 years to finance the program.

Committee Amendment "A" (H-401) proposed to allow the Finance Authority of Maine to use proceeds from the nursing education loan repayment fund for the administrative expenses of the nursing education loan repayment program.

Senate Amendment "A" (S-401) proposed to remove the appropriations and allocations section from the bill.

Enacted law summary

Public Law 2005, chapter 417 creates the nursing education loan repayment program and fund, to be administered by the Finance Authority of Maine, for the purpose of increasing nursing faculty at nursing education programs in the State. The program will repay up to \$4,500 of education loans for a master's degree and up to \$6,000 of education loans for a doctoral degree for a nurse who commits to working as faculty in a nursing education program in the State for a minimum of 3 years after acceptance into the program.

Joint Standing Committee on Education and Cultural Affairs

LD 1513

An Act To Require Coordination of Early Childhood Programs for Children 4 Years of Age in Maine

PUBLIC 368

Sponsor(s)
PINGREE
MILLS P

Committee Report
OTP-AM

Amendments Adopted
H-507

LD 1513 proposed to require local public schools to coordinate with community-based early childhood care and preschool education providers to determine the best way to deliver preschool education. Prior to receiving approval from the Department of Education for offering a so-called "early kindergarten" program, public schools must demonstrate that they have coordinated with community-based early childhood care and preschool education providers to prevent duplication of preschool services. The bill also proposed to require coordinated planning with the Department of Health and Human Services and Department of Education to ensure that new "early kindergarten" services are provided in safe, developmentally appropriate settings by skilled and educated preschool teachers.

Committee Amendment "A" (H-507) proposed to strike and replace the title of the bill and the bill itself to establish that local public schools would be required to receive approval from the Department of Education before offering so-called "early kindergarten" programs. The amendment proposed to accomplish the following.

1. It would require that the Department of Education approval process consider factors related to the needs of families in the community for other early childhood education programs for children 4 years of age, the extent to which public schools have demonstrated that they have coordinated with early childhood programs for children 4 years of age in the community and the provision of broad public notice regarding the proposed early childhood education program for children 4 years of age.
2. It would permit the Department of Education to adopt major substantive rules for the approval process for early childhood programs for children 4 years of age.
3. It also would require the Department of Education, in collaboration with representatives of the early childhood programs in the State, to establish standards for early childhood programs for children 4 years of age developed by school administrative units.

House Amendment "A" to Committee Amendment "A" (H-573) proposed to require the Department of Education to include consideration of demonstrated adherence by a school administrative unit to policies set forth in the Department of Health and Human Services child care licensing guidelines for care of children with respect to safety issues and adult-to-child ratios in evaluating a proposal to develop an early childhood program for children 4 years of age submitted by a school administrative unit to the Department of Education for approval.

Enacted law summary

Public Law 2005, chapter 368 requires that local public schools must receive approval from the Department of Education before offering so-called "early kindergarten" programs. The law requires that the Department of Education approval process must consider factors related to the needs of families in the community for other early childhood education programs for children 4 years of age, the extent to which public schools have demonstrated that they have coordinated with early childhood programs for children 4 years of age in the community, demonstrated adherence by a school administrative unit to policies set forth in the Department of Health and Human Services child care licensing guidelines for care of children with respect to safety issues and adult-to-child

Joint Standing Committee on Education and Cultural Affairs

ratios, and the provision of broad public notice regarding the proposed early childhood education program for children 4 years of age.

The law also permits the Department of Education to adopt major substantive rules for the approval process for early childhood programs for children 4 years of age. The law further requires the Department of Education, in collaboration with representatives of the early childhood programs in the State, to establish standards for early childhood programs for children 4 years of age developed by school administrative units.

LD 1527 Resolve, To Allow School Administrative District 16 To Sell a ONTP
School in Anticipation of Closure

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER MCCORMICK	ONTP	

LD 1527 proposed to allow School Administrative District 16 to sell the consolidated Hall-Dale Elementary School and lease it for \$1 per year until a replacement school building is completed and ready to be occupied.

LD 1528 An Act To Create a Graduate School of Biomedical Sciences at the P & S 28
University of Maine

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY CAIN	OTP-AM	S-165 S-398 ROTUNDO

LD 1528 proposed to direct the Board of Trustees of the University of Maine System to establish a graduate school of biomedical sciences to educate and train students in basic and clinical fields of biomedicine and the biosciences. The bill also proposed to provide ongoing funds for the graduate school.

Committee Amendment "A" (S-165) proposed to incorporate a fiscal note.

Senate Amendment "A" (S-398) proposed to authorize, but does not require, the Board of Trustees of the University of Maine System to establish a graduate school of biomedical sciences to educate and train students in basic and clinical fields of biomedicine and the biosciences. This amendment also proposed to remove funding for the graduate school.

Enacted law summary

Private and Special Law 2005, chapter 28 authorizes the Board of Trustees of the University of Maine System to establish a graduate school of biomedical sciences to educate and train students in basic and clinical fields of biomedicine and the biosciences.

Joint Standing Committee on Education and Cultural Affairs

LD 1529

Resolve, Regarding Legislative Review of Chapter 180, Subchapter XIII: Continued Provision of Free Appropriate Public Education for Five-Year-Olds Born Between September 1st and October 15th, a Major Substantive Rule of the Department of Education

**RESOLVE 79
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-461

LD 1529 proposed to provide for legislative review of Chapter 180, subchapter XIII: Continued Provision of Free Appropriate Public Education for Five-Year-Olds Born Between September 1st and October 15th, a major substantive rule of the Department of Education.

Committee Amendment "A" (H-461) proposed to provide that the provisionally adopted rule submitted by the Department of Education could be authorized only if certain designated portions of the rule were amended to:

1. Clarify that the parent of an eligible 5-year-old child shall provide informed consent to their regional site of the Child Development Services System that includes an explanation of the option to either remain in the Child Development Services System or the option to enroll in kindergarten and the specific free, appropriate public education services that are available in kindergarten;
2. Establish that the regional site of the Child Development Services System shall provide a copy of the individualized family service plan or the individualized education plan for each eligible 5-year-old child whose parent elects to receive services to the Child Development Services State Office; and
3. Establish that the parent of an eligible 5-year-old child who has been unable to inform their regional site of the Child Development Services System of their choice by May 1st can submit a request for consideration to the Child Development Services State Office by June 15th.

Enacted law summary

Resolve 2005, chapter 79 provides for legislative review of Chapter 180, subchapter XIII: Continued Provision of Free Appropriate Public Education for Five-Year-Olds Born Between September 1st and October 15th, a major substantive rule of the Department of Education.

The resolve authorizes final adoption of the rule provided that certain designated portions of the rule are amended to:

1. Clarify that the parent of an eligible 5-year-old child shall provide informed consent to their regional site of the Child Development Services System that includes an explanation of the option to either remain in the Child Development Services System or the option to enroll in kindergarten and the specific free, appropriate public education services that are available in kindergarten;
2. Establish that the regional site of the Child Development Services System shall provide a copy of the individualized family service plan or the individualized education plan for each eligible 5-year-old child whose parent elects to receive services to the Child Development Services State Office; and

Joint Standing Committee on Education and Cultural Affairs

3. Establish that the parent of an eligible 5-year-old child who has been unable to inform their regional site of the Child Development Services System of their choice by May 1st can submit a request for consideration to the Child Development Services State Office by June 15th.

Resolve 2005, chapter 79 was enacted as an emergency measure effective June 2, 2005.

LD 1530 **Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel, Part I and Part II, a Major Substantive Rule of the Department of Education** **RESOLVE 41 EMERGENCY**

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

LD 1530 proposed to provide for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel, Part I and Part II, a major substantive rule of the Department of Education.

Enacted law summary

Resolve 2005, chapter 41 provides for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel, Part I and Part II, a major substantive rule of the Department of Education.

Resolve 2005, chapter 41 was enacted as an emergency measure effective May 20, 2005.

LD 1543 **An Act To Facilitate Summer Youth Employment** **ONTP**

<u>Sponsor(s)</u> PINGREE COWGER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--	--	---------------------------------	--	---------------------------

LD 1543 proposed prohibiting the University of Maine System, the Maine Community College System and the Maine Maritime Academy from commencing classes prior to Labor Day.

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.

Joint Standing Committee on Education and Cultural Affairs

LD 1655

An Act To Establish the Maine Graduate Retention Loan Program

ONTP

<u>Sponsor(s)</u> DIAMOND BRYANT M	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
--	---------------------------------	---------------------------

LD 1655 proposed to establish the Maine Graduate Retention Loan Program to provide loans of 75% of tuition and board to certain eligible students enrolled in postsecondary educational institutions who would agree to accept and maintain full-time employment in the State after graduation. The loans could then be forgiven at a rate of 15% per year of eligible employment in the State. The bill proposed to direct the Finance Authority of Maine to administer the program.

LD 1656

Resolve, To Retain Maine's Theater Arts and Dance Teachers

**RESOLVE 96
EMERGENCY**

<u>Sponsor(s)</u> PINGREE WOODCOCK	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-520
--	-----------------------------------	------------------------------------

LD 1656 proposed to exempt theater teachers who are currently employed from additional requirements imposed by rules adopted by the State Board of Education on April 14, 2004, Chapter 115: Certification, Authorization and Approval of Education Personnel.

Committee Amendment "A" (H-520) proposed to replace the title of the bill and proposed to change the bill to a resolve that would direct the State Board of Education to amend Chapter 115: Certification, Authorization and Approval of Educational Personnel in order to provide an exemption for certain theater arts and dance teachers who are employed in an accredited public or private school in the State as of October 1, 2005 from additional requirements imposed by rules adopted by the State Board of Education on April 14, 2004 that are scheduled to become effective August 1, 2005.

Enacted law summary

Resolve 2005, chapter 96 directs the State Board of Education to amend Chapter 115: Certification, Authorization and Approval of Educational Personnel in order to provide an exemption for certain theater arts and dance teachers who are employed in an accredited public or private school in the State as of October 1, 2005 from additional requirements imposed by rules adopted by the State Board of Education on April 14, 2004 that are scheduled to become effective August 1, 2005.

Resolve 2005, chapter 96 was enacted as an emergency measure effective June 7, 2005.

Joint Standing Committee on Education and Cultural Affairs

LD 1661

An Act To Streamline Higher Education in Maine

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL NORTON	ONTP	

LD 1661 proposed to establish a centralized system of governance and coordination for public higher education and proposed to reorganize the system for public higher education in Maine by creating the Board of Regents of Higher Education, which would have been established as the central policy-making authority for public higher education in the State. The bill further proposed to establish a coordinating council and an advisory committee to assist the board of regents in fulfilling its policy-making role of coordinating the programs and resources of the University of Maine System and its universities, the Maine Community College System and its colleges and the Maine Maritime Academy. The bill also proposed to establish transition provisions to review and propose legislative revisions to the charters and relevant statutes of the University of Maine System, the Maine Community College System and the Maine Maritime Academy to align the governance structures of these entities with the board of regents as the central policy-making authority for the state system of higher education. The bill further proposed to direct the Chancellor of the University of Maine System, the President of the Maine Community College System and the President of the Maine Maritime Academy, and the respective chairs of their boards of trustees, to work with the Joint Standing Committee on Education and Cultural Affairs to address a number of transition provisions. Finally, the bill proposed to establish July 1, 2007 as the effective date for implementing these governance and coordination changes.

LD 1668

**An Act To Establish a Cost-sharing Formula for the Five Town
Community School District**

**P & S 10
EMERGENCY**

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

LD 1668 was introduced as an emergency measure by H.P. 1177. The bill proposed to establish a cost-sharing formula for the community school district created in Private and Special Law 1993, chapter 64. It proposed to provide that beginning July 1, 2005, the community school district shall share its costs, including additional local funds, among the member municipalities in proportion to each municipality's required contribution to the total cost of funding education as described in the Essential Programs and Services Funding Act. It also proposed to provide that the cost-sharing formula applicable to the community school district's additional local funds may be amended pursuant to the Maine Revised Statutes, Title 20-A, section 1704.

Enacted law summary

Private and Special Law 2005, chapter 10 establishes a cost-sharing formula for the community school district created in Private and Special Law 1993, chapter 64. It provides that beginning July 1, 2005, the community school district shall share its costs, including additional local funds, among the member municipalities in proportion to each municipality's required contribution to the total cost of funding education as described in the Essential Programs and Services Funding Act. It also provides that the cost-sharing formula applicable to the

Joint Standing Committee on Education and Cultural Affairs

community school district's additional local funds may be amended pursuant to the Maine Revised Statutes, Title 20-A, section 1704.

Private and Special Law 2005, chapter 10 was enacted as an emergency measure effective June 12, 2005.

LD 1684

**An Act Regarding Transition Provisions for the Sharing of Costs
in Certain School Districts**

**P & S 23
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

LD 1684 was reported out as an emergency bill by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2005, chapter 2.

Enacted law summary

Private and Special Law 2005, chapter 23 changes the cost-sharing mechanism established by the Essential Programs and Services Funding Act and incorporates transition provisions for certain school districts whose cost-sharing formulas may result in adverse impacts for member municipalities within the school districts. The law accomplishes the following.

1. It provides an adjustment to the state share of the total allocation for school administrative districts and community school districts that have member municipalities with local contributions that are below the maximum mill rate expectation but that are adversely affected as a result of the cost-sharing mechanism established pursuant to the Maine Revised Statutes, Title 20-A, section 15688.
2. It provides transition provisions to the current cost-sharing formula of School Administrative District No. 71 for fiscal year 2005-06 to fiscal year 2008-09 and subsequent fiscal years.
3. It provides transition provisions to the cost-sharing formula of the Manchester, Mount Vernon, Readfield and Wayne Community School District for fiscal year 2005-06 to fiscal year 2008-09.
4. It provides a one-year extension to allow the Department of Education to continue to assist School Administrative District No. 74 in developing a transition plan to phase in the new method of determining member municipalities' local cost of education in accordance with Title 20-A, section 15688 by fiscal year 2008-09.
5. It authorizes the Commissioner of Education to adjust the allocation of general purpose aid to local schools for School Administrative District No. 67 in fiscal year 2005-06 should the state valuation for the Town of Lincoln be reduced due to a reduction in value of the Eastern Fine Paper plant.

Private and Special Law 2005, chapter 23 was enacted as an emergency measure effective June 7, 2005.