

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION

MAY 1994

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

**LD 1622 An Act to Enhance and Improve the Special Education
Complaint Management Process**

PUBLIC 483

SPONSOR(S)
AMERO

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED
S-386 AMERO

SUMMARY

As a result of amendments to the Individuals with Disabilities Education Act, the United States Department of Education, Office of Special Education Programs has required participating states through regulations, program plans and monitoring visits to revise laws and rules pertaining to the management of complaints alleging noncompliance with federal requirements. This bill allows the Department of Education to comply with the complaint management process requirement of the federal law.

SENATE AMENDMENT "A" (S-386) adds a fiscal note to the bill.

**LD 1631 An Act Concerning Level I and Level II Educational
Technicians**

P & S 89

SPONSOR(S)
BEAM
HANDY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-811
S-604 PEARSON

SUMMARY

The original resolve required the Department of Education to reclassify the position of teacher's aide formerly held by Irene Mailhot as the position of education technician III.

COMMITTEE AMENDMENT "A" (H-811) replaces the resolve with an Act that allows the Department of Education to reclassify the position of teacher aide or teacher assistant to educational technician II or educational technician III if the employee was not recommended to be upgraded prior to the September 1, 1991 deadline due to misinterpretation of a transcript from a foreign country. The amendment also adds a fiscal note and a new title.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-604) adds a mandate preamble and replaces the fiscal note in Committee Amendment "A".

**LD 1640 An Act to Authorize the Towns of Appleton, Camden, Hope,
Lincolntown and Rockport to Form a Community School
District**

P & S 64
EMERGENCY

SPONSOR(S)
WHITCOMB

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-740
H-752 WHITCOMB
S-440 O'DEA

SUMMARY

This bill authorizes the formation of a community school district for grades 9 to 12 for the Towns of Appleton, Camden, Hope, Lincolntown and Rockport. Currently, the Towns of Appleton, Hope and Lincolntown contract for high school education for their students with School Administrative District 28, which consists of the Towns of Camden and Rockport. The residents of each town have already passed resolutions supporting the creation of this community school district. This bill modifies community school district laws to meet the special needs and history in these towns. The community school district will not be created unless it is approved by the majority of the voters voting in each of the 5 towns in a referendum vote.

COMMITTEE AMENDMENT "A" (H-740):

1. Prevents the School District Committee from borrowing funds for purchasing land for major capital costs and for school construction projects without approval of a majority of voters at a general election in the district;
2. Clarifies that School Administrative District 28 will continue to receive general purpose aid for local school funding until the new Community School District begins its first operational year;
3. Clarifies that the newly formed Community School District is not to receive a state subsidy during the transition period from a School Administrative District to an operational Community School District for grades 9 to 12; and
4. Adds a mandate preamble and a fiscal note to the bill.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-752) limits the School District Committee from borrowing funds for minor capital costs of more than .025% of the valuation of all 5 towns without approval of a majority of voters at a general election in the district.

The amendment also corrects an omission in a statutory citation and makes a technical correction to the committee amendment.

SENATE AMENDMENT "A" (S-440) provides for local determination of cost sharing and voter approval, and it clarifies and protects the teachers' contracts and benefits. Although enacted into law, the Town of Appleton rejected the arrangement established in this bill. A second bill, LD 2002, was enacted to permit Appleton to vote again to join the CSD or to permit the other towns to form a CSD without Appleton. The summary of LD 2002 appears later in this section.

LD 1646 An Act to Redefine the Maine State Cultural Affairs Council ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
AULT	ONTP	

SUMMARY

This bill would have redefined the Maine State Cultural Affairs Council in line with its actual operation as an advisory body. It would have removed a fiscal role from the council, so that each agency would submit its budget separately. The intent of the bill was to enable each agency to interact separately with the legislative and executive branches of State Government.

LD 1673 An Act to Amend the Charter of Kents Hill School P & S 60

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
NORTON MCCORMICK	OTP-AM	H-721

SUMMARY

This bill amends the charter of Kents Hill School by changing the term of the trustees from 6 years to 3 years and by changing the minimum number of trustees from 20 to 16.

COMMITTEE AMENDMENT "A" (H-721) reduces the maximum number of trustees from 30 to 25. This amendment also makes necessary stylistic and technical changes.