

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS

MAY 1998

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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- EMERGENCY*.....Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

LD 1260**An Act Allowing Schools to Remain on the School Construction Account Priority List****OTP-ND-NT**

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

LD 1260 was carried over from the First Regular and First Special Sessions and proposed to establish that once a school administrative unit has an application for approval of a construction project on file with the State Board of Education, it may still seek or obtain local funding for a project. The bill would have further required the state board to consider the initial application without regard to local funding or any construction that may have occurred while the project was on the priority list and would have also required the board to fund the project when the project rating allowed concept and funding approval, based on the initial application.

The Committee voted “Ought to Pass in New Draft” (pursuant to Joint Rule 310) and changed the title of the bill with the permission of the sponsor (see LD 2289).

LD 1325**An Act to Make the State Board of Education Elected****ONTP**

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

LD 1325 was carried over from the First Regular and First Special Sessions and proposed that the 16 members of the State Board of Education be elected, with one member elected from each county. The elected board would have made all policy for the Department of Education and would have recommended education policy to the Legislature. The bill further proposed to direct the Commissioner of Education to study and report to the state board on the feasibility of restructuring the department.

Committee Amendment "A" (H-801), the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to change the year in which election of State Board of Education members would begin and the date of the report of the Commissioner of Education on the feasibility of restructuring the Department of Education. The amendment also proposed to add an appropriation and a fiscal note to the bill.

LD 1340**An Act to Establish a Public Education Assessment Advisory Commission****ONTP**

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

LD 1340 was carried over from the First Regular and First Special Sessions and proposed to establish the Public Education Assessment Advisory Commission to oversee the continuing improvement to the system of learning results established pursuant to the Maine Revised Statutes, Title 20-A, section 6209. The bill also proposed to oversee the development of the statewide education assessment program and other state and local assessment mechanisms for implementing the learning results system.