

# 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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*Sen. Mary R. Cathcart*  
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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](http://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 1416****An Act Concerning Eligibility for Service on a School Board****ONTP**Sponsor(s)  
KILKELLYCommittee Report  
ONTPAmendments Adopted

LD 1416 was carried over from the First Regular and First Special Sessions and proposed to amend the current definition of "full-time employee" as that applies to school board membership. Currently, neither a full-time employee in a public school nor such an employee's spouse may serve on the district's or union's school board. This bill further proposed a definition of "volunteer" to mean a person who, for no remuneration, volunteers no more than once a month or in no more than five months a year. The bill would have allowed volunteers to serve on a school board but maintained the prohibition against full-time employees serving as school board members.

**LD 1436****An Act to Amend School Construction Laws****ONTP**Sponsor(s)  
TREAT  
COWGERCommittee Report  
ONTPAmendments Adopted

LD 1436 was carried over from the First Regular and First Special Sessions and proposed that the State Board of Education be required to include in its rating plan for school construction projects equal consideration for "substantial" restoration, rather than "complete" restoration, if it is in lieu of new construction and consideration of health and safety, building codes and federal Americans with Disabilities Act violations. The bill would also have amended the state board's design limit provisions to eliminate any requirements for minimum parcel size if the location of a school construction project is consistent with the town's comprehensive plan and other approval criteria are met. The bill further proposed to establish that, once a school administrative unit has been approved by the state board for funding, it may still seek or obtain local funding for a project and be reimbursed for any funds expended prior to receipt of state funding once the money is released from the State to the school administrative unit.

**LD 1544****An Act to Amend the Process by Which School Construction Is Approved****ONTP**Sponsor(s)  
TRUECommittee Report  
ONTPAmendments Adopted

LD 1544 was carried over from the First Regular and First Special Sessions and proposed to authorize the Department of Education to develop standardized construction plans and to choose school plans for new school construction that take the school's five-year target population into consideration. The bill further proposed to require the department to develop a process for choosing the plans in a timely manner and would have required any changes to the plans requested by a local school administrative unit to be the responsibility of the local unit.