

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS**

JULY 1997

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 alphabetically 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:

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

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

This amendment also proposed to add a fiscal note to the resolve.

Enacted law summary

Resolve 1997, chapter 62 directs the State Board of Education to establish a committee to study charter schools and school choice initiatives in other states and jurisdictions. In conducting its study, the board's committee shall meet at least four times and shall report its findings and any recommended legislation to the Legislature by January 1, 1998.

LD 1565

Resolve, to Assist the Sanford Regional Vocational Center

ONTP

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

LD 1565 proposed to allow the school units affiliated with the applied technology center located in Sanford to contribute money for improvements to the center without affecting their state subsidies for education. The resolve would also allow the center to receive the money from the school units without affecting its state subsidy for education.

LD 1581

An Act to Improve the Child Development Services System and Encourage Collaboration in Early Childhood Programs with School Administrative Units

PUBLIC 534

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KERR	OTP-AM	H-703 S-374 MICHAUD

LD 1581 proposed to make the following changes to the laws governing the Child Development Services System.

1. It would clarify the definition of "disability" for children age three to under age six.
2. It would ensure a demonstration of nonsupplanting with federal funds in the annual report by the Interdepartmental Coordinating Council for Early Intervention, now to be provided to the Commissioner of Education.
3. It would standardize procedures and rates of payment for services delivered by Child Development Services System sites across the State.
4. It would permit flexibility in the establishment of advisory bodies required under the federal Individuals with Disabilities Education Act.
5. It would establish parameters for the program day and the program year for special instruction services for children served by the Child Development Services System.

6. It would encourage collaboration between Child Development Services System regional boards and school administrative units whenever possible, to maximize efforts and the effective use of resources, to ensure consistent quality of programming and to facilitate the transition process for children and families from the Child Development Services System to the public school system.

Committee Amendment "A" (H-703) proposed to strike out provisions of the bill regarding the frequency and intensity of early intervention services and instead would direct the Department of Education to develop rules addressing these matters. This amendment also proposed to restore the requirement that the Interdepartmental Coordinating Council for Early Intervention report annually to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. This amendment further proposed to establish a task force to review and make recommendations regarding:

1. Whether or not the consolidation of regional sites in the Child Development Services System could achieve greater administrative efficiency and economy; and
2. The cost-effectiveness of hiring professional staff to be employed at the regional Child Development Services Systems sites as compared to contracting for services with nonprofit and for-profit services providers.

Finally, this amendment proposed to add an appropriation section and a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-374) proposed to reduce the number of task force members, specify the number of meetings and revise the appropriation section.

Enacted law summary

Public Law 1997, chapter 534 makes the following changes to the laws governing the Child Development Services System. The law accomplishes the following:

1. It clarifies the definition of "disability" for children age three to under age six.
2. It ensures a demonstration of nonsupplanting with federal funds in the annual report by the Interdepartmental Coordinating Council for Early Intervention, now to be provided to the Joint Standing Committee on Education and Cultural Affairs and the Commissioner of Education;
3. It standardizes procedures and rates of payment for services delivered by Child Development Services System sites across the State;
4. It permits flexibility in the establishment of advisory bodies required under the federal Individuals with Disabilities Education Act;
5. It directs the Department of Education to develop rules addressing parameters for the program day and the program year for special instruction services for children served by the Child Development Services System;
6. It encourages collaboration between Child Development Services System regional boards and school administrative units whenever possible, to maximize efforts and the effective use of resources, to ensure consistent quality of programming and to facilitate the transition process for children and families from the Child Development Services System to the public school system; and

7. It establishes a task force to review and make recommendations regarding the potential for achieving greater administrative efficiency and economy from consolidating regional sites in the Child Development Services System, and the cost-effectiveness of hiring professional staff to be employed at the regional Child Development Services Systems sites as compared to contracting for services with nonprofit and for-profit services providers.

LD 1597 An Act to Make Certain Changes in the University of Maine System ONTP
to Promote Lifelong Learning

<u>Sponsor(s)</u> BENNETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1597 was a concept draft pursuant to Joint Rule 208. This bill proposed to:

1. Direct the Board of Trustees of the University of Maine System to establish a transfer policy that allows students to transfer all general education courses within the University of Maine System from one campus to another without restrictions;
2. Establish a common academic calendar that enables all of the campuses of the system to be on the same academic schedule;
3. Establish tuition rates that do not vary more than 10% among the campuses;
4. Ensure that the Education Network of Maine (ENM) serves as a student-centered instructional delivery system that retains broadcast facilities located at the University of Maine at Augusta, yet provides post-secondary education students across the State with the full range of academic programs and the breadth of faculty expertise that are available at each campus of the University of Maine System; and
5. Allow no more than 10% of any institution's total budget to be used for administrative purposes and prohibit the average salaries of University of Maine System administrators, including the office of the Chancellor and system-wide services staff, from exceeding the average salary of University of Maine System faculty members who are involved in teaching and research.

LD 1601 RESOLUTION, Proposing an Amendment to the Constitution of CARRIED OVER
Maine to Require the Legislature to Provide a Statewide System of
Uniform and High-quality Education

<u>Sponsor(s)</u> LONGLEY	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1601 proposes an amendment to the Constitution of Maine to strike the words requiring that towns make suitable provision for the support and maintenance of schools and to add language requiring the Legislature to support schools and to seek to ensure that a program of uniform and high-quality education is established and continually maintained at all schools in the State. The bill was carried over to the Second Regular Session of the 118th Legislature.