

# 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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***Sen. Mary R. Cathcart***

***Sen. Mary E. Small***

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***Phillip D. McCarthy, Ed.D., Legislative Analyst***

***Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670***



**Maine State Legislature**

**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**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](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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- 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 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

2. The school administrative unit must submit a referendum question to the voters and must receive voter approval for the project which is subject to interest-only interim local financing. Should voters not approve the interim-only school construction project, the project remains eligible for state board concept and funding approval at the time it would have received such approval under normal funding circumstances; and
3. The interest-only payments made by a school administrative unit during the period of interim financing must be paid from local funds without state participation and may not be included in the unit's debt service costs for state subsidy purposes.

**LD 1638**                      **An Act to Establish a Higher Standard for Appropriate Education of Students with Disabilities**                      **ONTP**

<u>Sponsor(s)</u> PENDLETON P	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1638 proposed to replace the general provisions that govern the identification, evaluation, assessment and placement of children requiring special education. The purpose of this bill, which is based on Massachusetts law, is to provide a flexible and uniform system of special education program opportunities for all children requiring special education; and to provide a flexible and nondiscriminatory system for identifying and evaluating the individual needs of such children; and to facilitate the realization of the educational potential of each child.

**LD 1643**                      **Resolve, Directing the State Board of Education to Add Consolidation to the School Construction Rating System**                      **ONTP**

<u>Sponsor(s)</u> COWGER TREAT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1643 proposed to direct the State Board of Education to amend its rules governing the school construction rating process to include a category that awards points for school consolidation and proposed to direct the State Board of Education to establish criteria for evaluating whether consolidation is warranted for a project. This resolve also proposed to direct the State Board of Education to establish subsidy incentives for approved school construction projects that include consolidation.

**LD 1652**                      **An Act to Establish the Dirigo Higher Education Bond Program to Provide Financial Aid to Maine Students**                      **CARRIED OVER**

<u>Sponsor(s)</u> DAVIDSON	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1652 proposes to establish the Dirigo Higher Education Bond Program to provide financial aid to Maine students under the administration of the Finance Authority of Maine. The program is designed to offer bonds, for

purchase by Maine residents, that are redeemable to pay the costs of attendance at institutions of higher education. The bill was carried over to the Second Regular Session of the 118th Legislature.

**LD 1653                      An Act to Abolish the State Board of Education                      CARRIED OVER**

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

LD 1653 proposes to abolish the State Board of Education, transfer its responsibilities to the Department of Education and provide for its funding to be used for the Maine School of Science and Mathematics and general purpose aid. The bill was carried over to the Second Regular Session of the 118th Legislature.

**LD 1671                      An Act Concerning the Calculation of the State's Share of School Funding                      ONTP**

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

LD 1671 proposed to change the calculation and the payment of the state and local shares of the per pupil guarantee under the school funding formula for school administrative districts and community school districts. This bill would determine the calculation and payment of state and local shares of the per pupil guarantee for school administrative districts and community school districts as if they were individual school administrative units. This bill would take effect at the start of fiscal year 2000-01 to allow the State and member municipalities in school administrative districts and community school districts time to adjust to this change.

**Committee Amendment "A" (H-558)**, the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to add a fiscal note to the bill.

**LD 1685                      An Act to Encourage the Development of Charter Schools                      ONTP**

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

LD 1685 proposed to allow certain public 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.

Charter schools could have been new schools or they could be existing schools that have converted to charter status. Sponsors could have included a local school board, the State Board of Education, a new state board formed expressly to approve and oversee charter schools, or the board of a public postsecondary institution.