

# 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](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:

<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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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

Charter schools would have also offered students and parents a choice of public schools. Charter schools would have been open to all students equally, though they may have specialized in serving a particular age group, a specific geographic area or a student population with specific needs. A charter school could have also required a demonstration of interest from students if it offered a specific curriculum or teaching methodology. Because they would have been public schools, charter schools could not have been affiliated with nonpublic or religious institutions and would have been required to be nonsectarian in their programs, practices and policies.

Certification would not have been required for each teacher in a charter school, but a minimum of one teacher for every 60 students enrolled must have held state certification. Teachers in charter schools could have been employees of the charter school, and would have had the right to organize and bargain collectively in a separate unit; or teachers could have chosen to operate the charter school themselves, as partners or members of a cooperative.

Funding for charter schools was to be paid directly by the State in an amount equal to the average amount per pupil spent statewide. Approved special education costs incurred beyond that amount were to be paid by the student's resident school administrative unit.

**LD 1688**                      **Resolve, to Promote School Choice by Establishing a Voucher Program**                      **ONTP**

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

LD 1688 proposed to require that elementary and secondary education be provided by means of a voucher system that would allow students and parents to choose in which schools or programs they want to receive an education. The resolve would require the Department of Education to develop a plan to implement the voucher system beginning for school year 1998-99.

**Committee Amendment "A" (H-559)**, the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to add a fiscal note to the resolve.

**LD 1695**                      **An Act to Provide Early Childhood Education Opportunities**                      **ONTP**

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

LD 1695 proposed to require the Commissioner of Education to design a model early childhood education program to provide early childhood education opportunities for residents of this State.

The bill further proposed to require the Commissioner of Education to support full-day kindergarten in each school unit and code full-day students as two full-time equivalent students for funding purposes.

**Committee Amendment "A" (H-561)**, the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to add a fiscal note to the bill.

**LD 1699                      An Act to Expand the Law Pertaining to Nepotism                      ONTP**

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

LD 1699 proposed to expand the prohibition on employment by a school administrative unit of spouses of school board members to include children and parents of school board members and the spouse of the children and parents.

**LD 1717                      An Act Establishing a Higher Education Trust as an                      CARRIED OVER**  
**Instrumentality of the State**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E PENDLETON P		

LD 1717 proposes to establish a higher education trust to assist residents of the State in saving for the costs of attending higher education and to assist students in the payment, in advance, of the tuition and related costs of attending colleges and universities in the State. This bill would create the Maine University Savings Trust as an instrumentality of the State and would accomplish the following.

1. Provide assistance and incentives for saving toward higher education costs and for the purchase of prepaid tuition contracts for the benefit of the children of this State to attend a qualified institution of higher education in the State.
2. Encourage timely financial planning for higher education by the creation of prepaid tuition contracts and further encourages employer participation in that planning.
3. Increase the number of qualified students who will seek to attend colleges and universities in Maine, which will be of benefit to the colleges and universities, and will therefore advance and improve higher education in the State.

Under this proposed bill, members of the Finance Authority of Maine would serve as trustees for the Maine University Savings Trust and act on behalf of the trust to establish and administer the separate trust funds. The bill was carried over to the Second Regular Session of the 118th Legislature.