

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

MEMBERS:

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Sen. Mary R. Cathcart
Sen. Mary E. Small

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Staff:

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
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 1973

An Act Regarding the Energy Testing Laboratory of Maine

PUBLIC 607

<u>Sponsor(s)</u> COLWELL CAREY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-824
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LD 1973 proposed to remove the Southern Maine Technical College from the Energy Testing Laboratory of Maine program as the laboratory no longer serves an educational role for the college.

Committee Amendment "A" (H-824) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 607 removes the Southern Maine Technical College from the Energy Testing Laboratory of Maine program as the laboratory no longer serves an educational role for the college. This law will enable the college to more properly allocate resources and space to the educational needs of its students.

LD 1983

An Act Regarding the State Subsidy for Kindergarten Programs

ONTP

<u>Sponsor(s)</u> MCELROY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1983 proposed to provide that a kindergarten program in a school administrative unit must receive the full state subsidy for each child who receives at least 12 and one-half hours per week of scheduled instruction time and further proposed that a school administrative unit must receive an amount equal to twice the full state subsidy for each child who receives at least 25 hours per week of scheduled instruction time.

LD 2001

**An Act to Amend the Maine Indian Claims Settlement Act
Regarding Education Funding**

**PUBLIC 626
EMERGENCY**

<u>Sponsor(s)</u> MOORE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-918
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LD 2001 proposed to continue an educational funding provision that enables schools operated by the Passamaquoddy Tribe and the Penobscot Nation to obtain significant additional federal funding. This federal funding, which was initially enacted for a six-year period, would continue to reduce the need for state general purpose aid to those schools. While the tribal schools benefited from additional federal funding, a report from the Department of Education, filed with the Joint Standing Committee on Education and Cultural Affairs, showed average annual savings in general purpose aid of nearly \$750,000.

Committee Amendment "A" (H-918) also proposed to continue this educational funding provision, which was scheduled to be repealed on June 30, 1998, that would enable schools operated by the Passamaquoddy Tribe and the Penobscot Nation to obtain significant additional federal funding. This amendment further proposed to add an

emergency preamble and an emergency clause to the bill to ensure that the legislation is enacted prior to the June 30, 1998 repeal date. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 626 continues an educational funding provision that enables schools operated by the Passamaquoddy Tribe and the Penobscot Nation to obtain significant additional federal funding. This federal funding provision, which reduces the need for state general purpose aid to those schools, was initially enacted for a six-year period and was scheduled to be repealed on June 30, 1998. Public Law 1997, chapter 626 was enacted as an emergency measure effective on March 26, 1998.

LD 2040 An Act to Amend the Law Relating to Special Education Out-of-district Placements PUBLIC 736

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER C	OTP-AM	H-823 S-727 MICHAUD

LD 2040 proposed to establish that a school administrative unit that places a special education student in a regional program must receive an out-of-district adjustment for the costs of that placement even when the school administrative unit is the host unit for the regional program.

Committee Amendment "A" (H-823) proposed to add a fiscal note to the bill.

Senate Amendment "A" (S-727) proposed to clarify the law on payment of tuition to general-purpose private schools that receive public tuition for special education students. The amendment proposed to ensure that private schools with exclusive contracts and those with student enrollments of greater than 60 percent public tuition students are treated the same, as is the current practice.

Enacted law summary

Public Law 1997, chapter 736 establishes that a school administrative unit that places a special education student in a regional program must receive an out-of-district adjustment for the costs of that placement even when the school administrative unit is the host unit for the regional program. In addition, the law clarifies the payment of tuition to general-purpose private schools that receive public tuition, special education students. The law ensures that private schools with exclusive contracts and those with student enrollments of greater than 60 percent public tuition students are treated the same, as is the current practice.