

# 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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**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.

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.