

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION**

AUGUST 1991

MEMBERS:

**Sen. Stephen C. Estes
Sen. Dale McCormick
Sen. Linda Curtis Brawn*

**Rep. Nathaniel J. Crowley, Sr.
Rep. James R. Handy
Rep. William B. O'Gara
Rep. James V. Oliver
Rep. John J. O'Dea
Rep. Mary F. Cahill
Rep. Sophia Douglass Pfeiffer
Rep. Omar P. Norton
Rep. Wendy L. Ault
Rep. Alvin L. Barth, Jr.*

Staff:

*David C. Elliott, Principal Analyst
Michael D. Higgins, Legislative Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

of directors with an incentive to create a meaningful alternative budget if the voters have rejected the original budget proposal. It created this incentive by keeping the prior year's budget in place until a new budget is passed.

LD 1300 **An Act Relating to the Employment of School Board Members**

PUBLIC 196

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HEINO BAILEY R NORTON	OTP	

SUMMARY

The law, as presently written, prohibits the employment of a school board member by the unit where the member served until after the member's term expires. A person who resigns prior to the end of the member's term has an unreasonably long time to wait before being eligible for employment. This bill limited the waiting period to one year from the time the board member ceases to serve on the board.

LD 1305 **An Act Concerning State Education Mandate Waivers**

PUBLIC 429
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CROWLEY NORTON ESTES O'GARA	OTP-AM	H-358 H-412 CROWLEY S-300 ESTES

SUMMARY

This bill allows school administrative units acting through either their superintendents, their superintending school committee or their budget-setting authority to obtain an exemption from any state mandate that has been enacted since January 1, 1984 by mailing notice of their intent to eliminate or delay compliance with a specific mandate to the Commissioner of Education. The bill allows the commissioner to deny an exemption if the delay or elimination was not based on financial reasons. The commissioner's power to deny an exemption is limited to actions taken by a superintendent or a superintending school committee.

The Committee Amendment (H-358) replaces the original bill and establishes a statutory waiver request and approval process to be administered by the commissioner. The commissioner is directed to report to the Joint Standing Committee on Education on the waiver program by January 1, 1992. The amendment also adds an emergency preamble, an emergency clause and a sunset date of July 1, 1992.

The House Amendment provides that the waiver or deferral of state education mandates is governed by the provisions in this bill as amended.

The Senate Amendment amends the supplemental budget bill enacted earlier this session to clarify that the June General Purpose Aid for Local Schools will be paid in early July. Local school units need this clarification in order to make the necessary plans for borrowing and taking other actions necessary to accommodate the deferral of the June subsidy check to July.