

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS

AUGUST 1995

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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second 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 & Senate disagree; bill died</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</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

LD 740 **An Act Concerning Cocurricular Activity Eligibility for Students Identified under the Federal Individuals with Disabilities Education Act**

PUBLIC 95

SPONSOR(S)
JONES S

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-137

SUMMARY

This bill provides that a special education student will not be denied eligibility to participate in extracurricular activities because of failure to meet academic eligibility standards or to be enrolled in a certain number or type of classes if that failure is due to the student's exceptionality and the student is in compliance with an individualized education plan.

COMMITTEE AMENDMENT "A" (H-137) The amendment replaces the bill. The amendment changes extracurricular to cocurricular and makes a number of technical changes to the bill. The amendment also allows a school administrative unit to use the same eligibility requirements applied to nonexceptional students for exceptional students if an exceptional student is not in compliance with the individual education plan.

LD 779 **An Act to Allow the Maine Technical College System to Grant Utility Easements**

PUBLIC 96

SPONSOR(S)
CAMPBELL

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

The Maine Technical College System is required by state law to seek legislative approval for the transfer of interests in property, which includes the granting of utility easements. This bill gives authority to the Board of Trustees of the Maine Technical College System to grant utility easements.

LD 795 **An Act to Require the State Agency Placing a Child in Foster Care to Pay for Special Education for the Child**

ONTP

SPONSOR(S)
BUNKER

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill requires the State to pay 100% of the costs of providing approved special education services for a student placed in a foster home by a state agency.

LD 810 **An Act to Require That School Buildings Be Renovated Unless New Construction Is More Cost-effective**

ONTP

SPONSOR(S)
LEMONT

COMMITTEE REPORT
ONTP MAJ
OTP-AM MIN

AMENDMENTS ADOPTED

SUMMARY

This bill sets limitations of the authority of the state board of education to authorize new construction and directs the state board of education to require school administrative units to prepare cost comparisons between new construction and the renovation of existing property when applying for approval of a school construction project.

LD 827 An Act to Provide for Record Checks of Elementary and Secondary Education Employees and Applicants CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
O'NEAL		

SUMMARY

This bill authorizes the Commissioner of Education and state school superintendents to conduct record checks of criminal and investigative information on applicants for employment, certification or recertification in positions that are directly or indirectly in contact with children.

LD 830 An Act to Establish Charter Schools CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BARTH		

SUMMARY

This bill authorizes the establishment of charter schools within the State and sets forth eligibility, application and funding requirements for charter schools.

LD 874 Resolve, to Establish Tuition Policy for the Town of Dennysville and Edmunds Township RESOLVE 33

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BAILEY	OTP-AM	H-476 H-506 MARTIN

SUMMARY

This bill requires that student tuition paid to a school in an unorganized territory be equivalent to the average state educational program cost per student.

COMMITTEE AMENDMENT "A" (H-476) replaces the bill. The amendment limits the tuition charge in 1994-95 for students from the Town of Dennysville attending school in Edmunds Township to the 1993-94 tuition level. The amendment directs the Town of Dennysville and Edmunds Township to form a study committee to review the provision of education services to elementary pupils attending the Edmunds School and requires the study committee to report to the Legislature by December 15, 1995. The amendment also adds a mandate preamble and a fiscal note to the bill.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-506) establishes a per student tuition charge for students from the Town of Dennysville attending the Edmunds School for the 1995-96 school year and limits any increase in the tuition charge to no more than 5% over the tuition charge for the 1994-95 school year.