

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS**

JUNE 1996

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

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.

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 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

Committee Amendment "A" (H-724) is the unanimous committee amendment. It narrowed the provision of the bill requiring a record check for elementary and secondary education employees and applicants to a mandatory check of criminal conviction records. It required the Commissioner of Education to obtain criminal conviction information from the Maine Criminal Justice Information System and allowed the commissioner to rely on information provided up to 24 months prior to the date of issuance of the certification, authorization or renewal. It required the applicant to pay the expense of obtaining this information. The amendment retained the provisions of the bill making criminal conviction information confidential. The amendment also established a study committee to make recommendations on further measures to protect children through improved hiring practices for education employees.

Enacted law summary

Public Law 1995, chapter 547 requires the Commissioner of Education to obtain criminal history record information from the Maine Criminal Justice Information System for anyone applying for certification to teach beginning in 1999.

LD 830 **An Act to Establish Charter Schools** ONTP

<u>Sponsor(s)</u> BARTH	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 830 authorized the establishment of charter schools within the State and set forth eligibility, application and funding requirements for charter schools.

LD 880 **An Act Concerning Referendum Reform for School Budgets** INDEF PP

<u>Sponsor(s)</u> REED W HALL	<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN	<u>Amendments Adopted</u>
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LD 880 required that if an article or several articles of a school administrative district (SAD) budget fail to pass in an initial referendum, a maximum of 2 subsequent referenda may be held to establish the budget. If no budget is passed after the 3rd referendum, the previous year's operating budget becomes the approved budget.

Committee Amendment "A" (H-824) is the majority report and replaced the bill. The amendment directed the Commissioner of Education to establish a study committee to review the status statewide of the referendum method of adopting a school budget. The study committee would have consisted of representatives of a wide variety of interested groups and organizations and would have presented any recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by December 15, 1996. (Not adopted)

Committee Amendment "B" (H-825) is the minority report and replaced the bill. Under current law, SADs that vote on school budgets by referendum in each town have 2 options for subsequent votes if they fail to approve a budget at the first vote. Following each failed vote, the SAD school board must decide whether the next vote will be conducted by the referendum method or at a district budget meeting held in one location within the district.