

# 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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*\*Denotes Chair*



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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 &amp; 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&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; 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 965 An Act to Protect Maine's Maritime Heritage**

PUBLIC 146

**SPONSOR(S)**  
ADAMS**COMMITTEE REPORT**  
OTP**AMENDMENTS ADOPTED****SUMMARY**

This bill allows the Director of the Maine Historic Preservation Commission to designate and post archaeological sites against unauthorized excavation on public property with the permission of the landowner. Existing law already requires landowner permission for posting of private property. This bill also modifies the definition of excavation to more fully protect maritime archaeological sites.

**LD 973 An Act to Improve Maine Students' Preparedness for the Global Economy by Enhancing Opportunities for Global and Geographic Education**

PUBLIC 430

**SPONSOR(S)**  
MITCHELL EH**COMMITTEE REPORT**  
OTP-AM**AMENDMENTS ADOPTED**  
H-396  
H-507 MARTIN  
S-391 HANLEY**SUMMARY**

This bill provides for the continuation of the Maine Committee for Global Education past its scheduled sunset on June 30, 1995. The committee is authorized to make grants to elementary and secondary schools for the purpose of improving student and teacher skills and knowledge for living and working in the global economy.

COMMITTEE AMENDMENT "A" (H-396) makes changes to the membership of the Maine Committee for Global Education, changes the name of the committee to the Maine Committee for Global and Geographic Education and makes minor changes to the duties of the committee. The amendment designates the Maine Geographic Alliance as the fiscal and administrative agent for the committee.

The amendment adds an appropriation of \$60,000 from the General Fund to be matched by a grant of the same amount from the National Geographic Society. The amendment also adds a fiscal note.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-507) clarifies that the Chair of the Legislative Council must convene the first meeting of the Maine Committee for Global and Geographic Education no later than August 1, 1995.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-391) This amendment reduces the amount of General Fund appropriations provided for grants to \$5,000 in fiscal year 1995-96.

**LD 981 An Act to Amend the Teacher Certification Laws Relating to Certification Waivers**

PUBLIC 321

**SPONSOR(S)**  
SMALL**COMMITTEE REPORT**  
OTP-AM**AMENDMENTS ADOPTED**  
S-225**SUMMARY**

This bill amends the specific criteria under which a teacher, education specialist or administrator may seek a certification waiver by the Commissioner of Education.

COMMITTEE AMENDMENT "A" (S-225) clarifies that a waiver granted to an individual who receives allegedly inaccurate, incomplete or untimely information must be for a period of time sufficient to allow the individual to complete certification requirements. This amendment also identifies alternative methods by which an individual may demonstrate compliance with certification requirements and requires the State Board of Education to adopt rules to further develop those methods.

**LD 983      An Act to Authorize the Towns of Mechanic Falls, Minot and Poland to Form a Community School District**

P & S 13  
EMERGENCY

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CLEVELAND STEVENS A AIKMAN	OTP-AM	S-61

**SUMMARY**

This bill authorizes the formation of a community school district for grades 7 to 12 for the towns of Mechanic Falls, Minot and Poland. This bill modifies community school district laws to meet the special needs and history in these towns. The community school district will not be created unless it is approved in a referendum vote by the majority of the voters voting at least 2 of the towns.

COMMITTEE AMENDMENT "A" (S-61) makes several technical changes to the bill. This amendment repeals a provision permitting the 3 towns to include costs for books and other materials in their debt service and replaces it with a provision permitting the towns to borrow the funds from the Department of Education's general purpose aid to local schools program and repay the loan, free of interest, over a 5-year period. This amendment changes the date of the referendum from May 3, 1995 to May 6, 1995 and permits the Town of Minot to hold the referendum on that date irrespective of municipal election requirements that might require a later date.

NOTE: The effort to form a 3 town CSD failed at referendum. See LD 1581 for additional information.

**LD 990      An Act to Encourage the Retention and Expansion of Existing Schools within Communities**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PINGREE	ONTP	

**SUMMARY**

The purpose of this bill is to prohibit the State Board of Education from disallowing expansion of existing school facilities based upon a minimum lot size requirement.

**LD 996      An Act to Prevent the Loss of Federal Impact Aid Funds to Schools Required to Reimburse under Federal Law**

PUBLIC 303

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
O'NEAL	OTP-AM	H-397

**SUMMARY**

The purpose of this bill is to prevent the United States Department of Education from compelling federally impacted school units in the State to pay back federal funds they received for fiscal year 1992-93 under Public Law 81-874.