

# 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 1033 An Act Relating to the Renewal of a Teacher Certificate That Has Lapsed for More Than 5 Years**

PUBLIC 320

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
MITCHELL EH	OTP-AM	MAJ	H-400
	ONTP	MIN	

**SUMMARY**

This bill allows teachers to renew a professional certificate that has expired more than 5 years by completing 12 credits of approved study and meeting current entry level standards for that certificate.

COMMITTEE AMENDMENT "A" (H-400) allows teachers with professional certificates that have lapsed more than 5 years or with provisional certificates issued prior to July 1, 1988 that have lapsed more than 5 years to be granted provisional teaching certificates provided they have recently completed 6 credit hours of approved study and have met entry level requirements. The bill requires teachers in these 2 categories to complete 12 credit hours of approved study.

The bill repeals the requirement that teachers granted provisional certificates work with a support system. The amendment retains that provision.

This amendment also adds a fiscal note to the bill.

**LD 1041 An Act to Reorganize the University of Maine into 2 Separate Systems** ONTP

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

**SUMMARY**

This bill reorganizes the University of Maine System into 2 separate systems and eliminates the chancellor's office.

**LD 1117 An Act to Improve the Education of Exceptional Children** ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
WINN	ONTP	MAJ	
	OTP	MIN	

**SUMMARY**

This bill requires testing and evaluation materials to be retained in an exceptional student's file for a minimum of 6 years and permits parents access to these records. The bill also permits parents to make tape recordings of meetings with school personnel and allows schools to provide case managers for exceptional students.

**LD 1124 An Act to Establish the Education Reform Act of 1995** CARRIED OVER

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>		<b>AMENDMENTS ADOPTED</b>
MITCHELL EH			

**SUMMARY**

This bill implements the school construction and school governance recommendations of the Committee to Study Organizational and Tax Issues in Public Schools.

**LD 1160**     **An Act to Authorize the Maine Principals' Association to Govern Official Refereeing and Umpiring of Secondary School Athletic Contests**     ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
CROSS                                      ONTP

**SUMMARY**

This bill directs the Maine Principals' Association to establish standards for the provision of umpiring and refereeing services for athletic contests between secondary schools. The bill also directs the association to determine penalties for violations of these standards.

**LD 1201**     **An Act to Provide for Public Health Standards in Public Schools Similar to Standards Required in Private Industry**     PUBLIC 338

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
FAIRCLOTH                                      OTP-AM                                      S-272

**SUMMARY**

This bill requires the Department of Human Services, Bureau of Health, to ensure that school buildings meet basic air quality and other health standards similar to the health standards applicable to private business.

COMMITTEE AMENDMENT "A" (S-272) replaces the bill. The amendment reduces the percentage of parents needed to petition for an air quality inspection of a school from 60% to 50% and requires that superintendents notify a citizen requesting an inspection of the process for requesting that inspection. This amendment also adds a fiscal note to the bill.

**LD 1211**     **An Act to Amend the Requirements for School Construction Projects**     ONTP

**SPONSOR(S)**                      **COMMITTEE REPORT**                      **AMENDMENTS ADOPTED**  
MCCORMICK                                      ONTP

**SUMMARY**

This bill amends the school construction laws by:

1. Allowing "substantial" restoration, rather than "complete" restoration, to be considered for state funding if it is in lieu of new construction;
2. Deleting substantive criteria from the definitions subsection and moving them to the approval criteria subsection as appropriate;
3. Allowing consideration of consolidated applications for more than one school construction project if the applicants use a single site and cost savings would result from the consolidation; and
4. Amending the design limits to eliminate any board requirements for minimum parcel size if the location is consistent with the town comprehensive plan and other approval criteria are met.