

# 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 electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

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

**JULY 1997**

***MEMBERS:***

***Sen. Peggy A. Pendleton, Chair***

***Sen. Mary R. Cathcart***

***Sen. Mary E. Small***

***Rep. Shirley K. Richard, Chair***

***Rep. Michael F. Brennan***

***Rep. Mabel J. Desmond***

***Rep. James G. Skoglund***

***Rep. Elizabeth Watson***

***Rep. Christina L. Baker***

***Rep. Alvin L. Barth, Jr.***

***Rep. Rodney W. McElroy***

***Rep. Vaughn A. Stedman***

***Rep. Irvin G. Belanger***

***Staff:***

***Phillip D. McCarthy, Ed.D., Legislative Analyst***

***Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670***



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

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 Regular 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 IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</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 finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

**LD 365**

**Resolve, to Encourage Public Schools to Adopt a Conflict Resolution Model**

**RESOLVE 19**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINGLASS	OTP-AM	H-186

LD 365 proposed to require public elementary and secondary schools to implement a comprehensive peer mediation and conflict resolution program addressing students' social and academic behaviors. The purpose of this bill is to teach students alternative methods of handling potentially violent situations without the use of violence and to take responsibility for their behavior.

**Committee Amendment "A" (H-186)** proposed to replace the bill by creating a resolve to encourage the Department of Education to support conflict resolution education initiatives and to conduct a survey of conflict resolution education models currently used in public schools in the State. The amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Resolve 1997, chapter 19 encourages the Department of Education to support conflict resolution education initiatives and to conduct a survey of conflict resolution education models currently used in public schools in the State.

**LD 392**

**An Act to Prohibit Schools from Charging Activity Fees for Participation in Extracurricular Events**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY	ONTP MAJ OTP-AM MIN	

LD 392 proposed to prohibit school administrative units from charging activity fees to students for participation in athletic or other extracurricular teams or activities.

**LD 399**

**An Act to Extend Certain Survivor Benefits to the Spouses of Firefighters and Law Enforcement Officers and Expand the Definition of Law Enforcement Officers**

**PUBLIC 160**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO	OTP	

Current law provides a tuition waiver in state postsecondary educational institutions to children of firefighters and law enforcement officers, defined as police officers, county sheriffs and deputy sheriffs, who are killed in line of duty. This bill proposed to expand the definition of "law enforcement officer" to include game wardens, fire marshals, liquor enforcement officers and marine patrol officers. It would also provide eligibility for the tuition waiver to spouses of those firefighters and law enforcement officers who are killed in the line of duty.

***Enacted law summary***

Public Law 1997, chapter 160 extends the tuition waiver benefits currently available to the children of firefighters and law enforcement officers who are killed in the line of duty to the spouses of fallen firefighters and law enforcement officers. The law also expands the definition of "law enforcement officer" to include game wardens, fire marshals, liquor enforcement officers and marine patrol officers.

**LD 428                      An Act to Clarify Tuition Rates for Middle School Students                      ONTP**

<u>Sponsor(s)</u> NUTTING		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
------------------------------	--	---------------------------------	--	---------------------------

LD 428 proposed to extend the provisions that cover secondary school attendance in another administrative unit and tuition for that attendance to middle school students. In doing so, the bill would have required that the maximum allowable tuition charge for public middle school attendance would be no higher than the state average per pupil middle student cost.

**LD 432                      An Act to Allow Municipalities to Set Tuition Rates for Nonresident Students                      ONTP**

<u>Sponsor(s)</u> GIERINGER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--------------------------------	--	---------------------------------	--	---------------------------

LD 432 proposed to allow school units to establish tuition rates for nonresident students based on actual cost, but not exceeding that cost. It would have eliminated the current maximum allowable tuition based on the state average per public secondary school student.

**LD 463                      RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure the Rights of Parents to Direct the Upbringing and Education of Their Children                      DIED IN CONCURRENCE**

<u>Sponsor(s)</u> KASPRZAK HALL		<u>Committee Report</u> ONTP      MAJ OTP      MIN		<u>Amendments Adopted</u>
---------------------------------------	--	--	--	---------------------------

LD 463 proposed an amendment to the Constitution of Maine to declare that parental rights to direct the upbringing and education of their children could not have been infringed and would have further authorized the Legislature to make laws that would have enforced this constitutional provision.