

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

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

**JULY 1997**

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

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

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**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

Public Law 1997, chapter 553 incorporates the educational technician authorization into the laws governing certification of educational personnel. The law further extends the renewable educational technician authorization to grandfathered personnel and clarifies that authorization will be renewed upon the completion of 3 credit hours of professional or academic study or in-service training. The law also allows school administrative units the option to develop local educational technician authorization systems under rules adopted by the Commissioner of Education.

**LD 1209**                      **An Act Regarding the School Administrative District No. 46 Applied Technology Center**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOBIN HALL	ONTP	

LD 1209 proposed to eliminate the School Administrative District No. 46 applied technology center. The bill further proposed to require that School Administrative District No. 46 continue to make its applied technology programs available indefinitely to other school administrative units that wish to participate in such programs on a cost-sharing basis that charges an equal per student tuition charge to all such participating school administrative units, including School Administrative District No. 46 or on any other basis that is mutually agreeable to all such participating school administrative units and School Administrative District No. 46.

**LD 1229**                      **An Act to Authorize the Conversion and Reuse of the Perry Hayden Hall at Pineland Center as an Elementary School**                      **P & S 22 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUTLAND	OTP-AM	S-178

LD 1229 proposed to authorize the Board of School Directors of Maine School Administrative District No. 15 to seek approval from the voters of the towns comprising the district to raise funds for the conversion of Perry Hayden Hall at Pineland Center for use as an elementary school. The proposed conversion project would replace the district's Russell Elementary School project that is presently on the special priority list of the State Board of Education and would eliminate the need for construction of a new Kindergarten to grade five elementary school. Maine School Administrative District No. 15 would not issue bonds for the permanent financing of this project until fiscal year 1998-99 and must treat \$82,500 of the debt service on the project for each of the first five years as locally funded debt service without state participation.

**Committee Amendment "A" (S-178)** proposed to clarify the authority of the State Board of Education to consider concept approval and fiscal funding approval in the same manner as other school construction projects and would allow the State Board of Education and the Commissioner of Education to approve the issuance of bonds for the project in fiscal year 1997-98. This amendment would also increase the new amount that Maine School Administrative District No. 15 is required to pay as locally funded debt service without state participation from \$82,500 per year to \$97,000 per year and increases the duration of those payments from five to 10 years. It would also raise funds for the conversion of Perry Hayden Hall at Pineland Center for use as an elementary school. This amendment further proposed to clarify the provision related to holding a local referendum vote. After receiving concept approval by the State Board of Education, this amendment would permit the Board of School Directors of

the Maine School Administrative District No. 15 to hold a referendum vote to consider the financing of the Perry Hayden Hall school construction project. Finally, this amendment proposed to add a fiscal note to the bill.

***Enacted law summary***

Private and Special Law 1997, chapter 22 authorizes the Board of School Directors of Maine School Administrative District No. 15 to seek approval from the voters of the towns comprising the district to raise funds for the conversion of Perry Hayden Hall at Pineland Center for use as an elementary school. The proposed conversion project would replace the district's Russell Elementary School project that is presently on the special priority list of the State Board of Education.

The law authorizes the State Board of Education to consider concept approval and fiscal funding approval in the same manner as other school construction projects and allows the State Board of Education and the Commissioner of Education to approve the issuance of bonds for the project in fiscal year 1997-98.

Maine School Administrative District No. 15 may not issue bonds for the permanent financing of this project until fiscal year 1998-99 and must treat \$97,000 of the debt service on the project for each of the first 10 years as locally funded debt service without state participation. This bill was enacted as an emergency measure effective on May 13, 1997.

**LD 1236**

**An Act to Amend the Laws Relating to State Agency Clients**

**PUBLIC 326**

Sponsor(s)  
SMALL

Committee Report  
OTP-AM

Amendments Adopted  
S-266

LD 1236 proposed to amend the statutes regarding state agency clients to conform with the new organizational structures in other state agencies. It also would have amended the definition of "state agency clients" as it pertains to students involved with the Department of Corrections and would have clarified the right to attend school for all state agency clients.

**Committee Amendment "A" (S-266)** proposed to limit the eligibility of Department of Corrections employees who could agree to the placement of a state agency client to those who are authorized by the department.

***Enacted law summary***

Public Law 1997, chapter 326 amends the statutes regarding state agency clients to conform with the new organizational structures in other state agencies. The law also revises the definition of "state agency clients" as it pertains to students involved with the Department of Corrections and clarifies the right to attend school for all state agency clients.