

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

MEMBERS:

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Sen. Mary E. Small

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Maine State Legislature

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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).

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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

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 1416**An Act Concerning Eligibility for Service on a School Board****CARRIED OVER**Sponsor(s)
KILKELLYCommittee ReportAmendments Adopted

LD 1416 proposes to amend the current definition of "full-time employee" as that applies to school board membership. Currently, neither a full-time employee in a public school nor such an employee's spouse may serve on the district's or union's school board. This bill further proposes a definition of "volunteer" to mean a person who, for no remuneration, volunteers no more than once a month or in no more than five months a year. The bill allows volunteers to serve on a school board but maintains the prohibition against full-time employees serving as school board members. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1425**An Act to Provide for Direct Reimbursement of Special Education Costs****ONTP**Sponsor(s)
KILKELLY
MITCHELL ECommittee Report
ONTPAmendments Adopted

LD 1425 proposed to guarantee that each school administrative unit in the State would receive compensation for its current year special education costs on a monthly basis. Compensation for special education costs would equal the unit's most recent monthly special education expenditure multiplied by the average statewide state share percentage of program costs in the current year.

The bill further proposed to increase the State's share of special education costs to 100% effective July 1, 2006 and adds a provision for paying 1997-98 school year special education costs to school units over a five-year period, beginning in July 2000.

LD 1436**An Act to Amend School Construction Laws****CARRIED OVER**Sponsor(s)
TREAT
COWGERCommittee ReportAmendments Adopted

LD 1436 proposes that the State Board of Education be required to include in its rating plan for school construction projects equal consideration for "substantial" restoration, rather than "complete" restoration, if it is in lieu of new construction and consideration of health and safety, building codes and federal Americans with Disabilities Act violations. The bill also would amend the design limits to eliminate any board requirements for minimum parcel size if the location of a school construction project is consistent with the town's comprehensive plan and other approval criteria are met. The bill further proposes to establish that, once a school administrative unit has been approved by the state board for funding, it may still seek or obtain local funding for a project and be reimbursed for any funds expended prior to receipt of state funding once the money is released from the State to the school administrative unit. The bill was carried over to the Second Regular Session of the 118th Legislature.