

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 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 1442**An Act to Prohibit the Denial of Teacher Certification Based on Refusal to Participate in Learning Results**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1442 proposed to ensure that teacher certification is not conditioned on participation in the learning results system or related professional development. It would permit an individual subject to certification to refuse to be involved in learning results due to conscientious objection to the system. The State Board of Education would be required to establish procedures for determining if the refusal is due to conscientious objection.

LD 1447**Resolve, to Require the Department of Environmental Protection to Review the Asbestos Hazard Emergency Response Act of 1986****RESOLVE 76**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIERINGER CAREY	OTP-AM	H-544 S-381 MICHAUD

LD 1447 proposed to establish the Committee to Review the Asbestos Hazard Emergency Response Act of 1986 for the purpose of reviewing the federal act as it relates to asbestos abatement in schools throughout this State.

Committee Amendment "A" (H-544) proposed to specify that the Governor's two appointees to the Committee to Review the Asbestos Hazard Emergency Response Act of 1986 must represent the Department of Environmental Protection and the Bureau of General Services. The amendment also proposed to add an appropriation and a fiscal note to the resolve.

Senate Amendment "A" to Committee Amendment "A" (S-381) proposed to require the Department of Environmental Protection, rather than a committee, to conduct the study. The amendment would also change the reporting date to January 1, 1999.

Enacted law summary

Resolve 1997, chapter 76 requires the Department of Environmental Protection to establish the Committee to Review the Asbestos Hazard Emergency Response Act of 1986 for the purpose of reviewing the federal act as it relates to asbestos abatement in schools throughout this State. The department shall submit its report, together with any implementing legislation, to the First Regular Session of the 119th Legislature by January 1, 1999.