

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
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

MEMBERS:

Sen. Georgette B. Berube, Chair

Sen. Robert E. Murray, Jr.

Sen. Mary E. Small

Rep. Michael F. Brennan, Chair

Rep. Shirley K. Richard

Rep. Mabel J. Desmond

Rep. James G. Skoglund

Rep. Elizabeth Watson

Rep. Christina L. Baker

Rep. Vaughn A. Stedman.

Rep. Irvin G. Belanger

Rep. Mary Black Andrews

Rep. Carol Weston

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 NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 September 18, 1999.

LD 209

An Act to Amend the Definition of Exceptional Student

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNE BERUBE	ONTP	

LD 209 proposed to amend part of the current definition of "exceptional student" in the state special education law with language consistent with the federal Individuals with Disabilities Act (IDEA) defining the term "child with disability." The major changes proposed by this bill are the following: (1) add three new handicapping conditions--autism, traumatic brain injury and other health impairment; (2) replace impairment based on "behavior" with "serious emotional disturbance;" and (3) replace impairment based on "cerebral or perceptual functions" with "specific learning disability." This bill was given an ONTP committee report because the Department of Education offered a more comprehensive bill; see LD 2026.

LD 214

An Act to Provide Funds for the Repair of Schools

ONTP

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

LD 214 was referred to the Appropriations and Financial Affairs Committee and proposed to appropriate funds to be distributed as grants by the Maine Municipal Bond Bank to schools that have lost their accreditation due to the inadequacies or defects in the physical state of the schools.

LD 220

An Act to Require Certification in First Aid and Cardiopulmonary Resuscitation for Certain School Personnel

ONTP

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

LD 220 proposed to require school boards to enforce a policy beginning in the 2000-2001 school year that school personnel who have regular contact with students be certified in first aid and cardiopulmonary resuscitation.

LD 232

An Act to Restrict the Posting on the Internet of Personal Information About Public School Students

PUBLIC 17

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	OTP	S-8 BERUBE

LD 232 proposed to prohibit a public school from publishing on the Internet or furnishing for publication on the Internet any information that can be used to identify a student of that public school without first obtaining the written approval of the parents of that student.

Senate Amendment "A" (S-8) proposed to add a mandate preamble.

Enacted law summary

Public Law 1999, chapter 17 requires that school administrative units must first obtain the written approval of a student's parents prior to publishing on the Internet or furnishing for publication on the Internet any personal information that can be used to identify a student of that public school.

LD 235 **An Act to Increase the Amount of State Contribution to Out-of-district Placements** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL ETNIER	OTP-AM	

LD 235 proposed to increase the state share of out-of-district placements to 75% of the actual cost of the placements.

Committee Amendment "A" (S-21) proposed to change the state share of out-of-district placement funding to 60%. The amendment also proposed to retain the adjustment provision in the Maine Revised Statutes, Title 20-A, section 15612, subsection 11 that specifies that a school administrative unit that places a student in an out-of-district placement must receive an adjustment equal to the amount, if any, by which the tuition, treatment and room and board costs for an approved out-of-district special education placement in the year of allocation exceeds three times the secondary foundation per pupil operating rate for that year or a prorated amount if the placement is less than a full year.

The substance of this amendment was enacted as part of the Part II Budget bill (see Public Law 1999, chapter 401, Part HH).

LD 269 **An Act to Authorize a General Fund Bond Issue for the Repair and Renovation of Schools** **CARRIED OVER**

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

LD 269 was referred to the Appropriations and Financial Affairs Committee and proposes to provide funds to capitalize the School Revolving Renovation Fund. The Governor's Commission on School Facilities presented a plan to the Governor and the 118th Legislature designed to address Maine's public school construction, renovation and repair needs. One recommendation was that the State issue \$35,000,000 in general obligation bonds in each fiscal year 1998-99 and 1999-00. Part A of this bill proposes a \$35,000,000 bond to be presented to the voters in November 1999. The commission also recommended an immediate General Fund appropriation of \$30,000,00. Part B of this bill proposes to appropriate \$10,000,000 to the School Revolving Renovation Fund to bring the total appropriation level of the program to \$30,000,0000. Public Law 1997, chapter 787 included a General Fund appropriation of \$20,000,000 to the School Revolving Renovation Fund. This bill was carried over to the Second Regular Session.

LD 312 **An Act to Prohibit the University of Maine System and the Public Vocational Schools from Competing in the Printing Industry** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT GOOLEY	ONTP	