

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

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Sen. Robert E. Murray, Jr.

Sen. Mary E. Small

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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 746

An Act to Allow Municipal Review of Actual School Budget and Expenditures

ONTP

<u>Sponsor(s)</u> O'NEIL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 746 proposed that a school committee be required to inform the municipal officers of any variation from the school budget once the budget has been adopted.

LD 781

Resolve, to Provide Vouchers for School Choice

ONTP

<u>Sponsor(s)</u> TRACY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 781 proposed to require that elementary and secondary education be provided by means of a voucher system that allows students and parents to choose in which schools or programs they want to receive an education. Under this resolve, the Department of Education would develop a plan to implement the voucher system beginning for school year 2000-01.

LD 792

An Act to Allow Preliminary Steps to be Taken in Preparation for the Mandatory Use of Conviction Data in Teacher Screening

**PUBLIC 35
EMERGENCY**

<u>Sponsor(s)</u> BERUBE TESSIER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 792 proposes to authorize preliminary steps to be taken commencing September 1, 1999, in preparation for the mandatory use of conviction data by the Department of Education in screening teacher and educational personnel applicants beginning on July 1, 2000, as well as extending the date one year when this is to begin. The necessary steps include fingerprinting the applicant, conducting the needed state and federal criminal history record checks by the State Bureau of Identification and the bureau forwarding the results to the department.

This bill was submitted on behalf of the Department of Public Safety.

Enacted law summary

Public Law 1999, chapter 35 authorizes preliminary steps to be taken commencing September 1, 1999, in preparation for the mandatory use of conviction data by the Department of Education in screening teacher and educational personnel applicants beginning on July 1, 2000. The law also extends the implementation date for

this requirement one year, from July 1, 1999 to July 1, 2000. Under this law, the necessary steps include fingerprinting the applicant, conducting the needed state and federal criminal history record checks by the State Bureau of Identification and forwarding the results by the bureau to the department.

Chapter 35 was enacted as an emergency measure effective March 29, 1999.

LD 798 **An Act to Permit Local Control and Funding of An Educational Building
in Accordance With a Municipal Charter** **PUBLIC 95**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	OTP-AM MAJ ONTP MIN	S-34

LD 798 proposed that a municipal school unit be permitted to approve a nonstate funded school construction project without a local referendum vote if such powers are vested in the municipal council by municipal charter. See also LD 1329.

Committee Amendment "A" (S-34) proposed language to clarify the intent of the bill to.

Enacted law summary

Public Law 1999, chapter 95 allows a municipal school unit to approve a locally funded school construction project without a local referendum if the municipality operates under a charter that does not require a referendum for other municipal construction projects.

LD 813 **An Act to Amend the Requirements of Full-time Students for State-
funding Purposes** **PUBLIC 439**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE NUTTING J	OTP-AM	H-372

LD 813 proposed to allow school administrative units to be reimbursed proportionally for students participating in equivalent instruction programs, yet still receive some level of on-site academic services provided by their local public school. Under this bill, such students would be classified as full-time equivalent students according to the amount of time they receive on-site academic services at a public school. School administrative units would be required to keep accurate records and report full-time equivalency enrollment.

Committee Amendment "A" (H-372) proposed to clarify that school administrative units receive state subsidy for any student enrolled in an equivalent instruction program who receives instruction through one or more on-site academic courses from a public school but is not a full-time student. Under this amendment, school administrative units that send tuition students to another school administrative unit or to a private school pursuant to the Maine Revised Statutes, Title 20-A, chapter 219 would also be entitled to receive state subsidy for these students.

Enacted law summary

Public Law 1999, chapter 439 allows school administrative units to be reimbursed proportionally for students who participate in equivalent instruction programs, yet still receive instruction through one or more on-site academic courses from a public school. The law establishes that such students are classified as full-time equivalent students according to