

# 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**

***MEMBERS:***

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***Sen. Robert E. Murray, Jr.***

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

***Rep. Michael F. Brennan, Chair***

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***Staff:***

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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](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:

*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.

the amount of time they receive on-site academic services from a public school. Under this law, 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 are also entitled to receive state subsidy for these students. School administrative units are required to keep accurate records and report full-time equivalency enrollment.

**LD 826                      An Act Concerning Student Medication                      ONTP**

<u>Sponsor(s)</u> PIEH KILKELLY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 826 proposed to amend current law and Department of Education rules regarding the administration medication to students. This bill proposed to provide a school secretary with the sole discretion of exercising an option to administer medication to students.

**LD 836                      Resolve, Establishing a Commission to Study the Maine Education Assessment                      ONTP**

<u>Sponsor(s)</u> MURPHY T	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 836 proposed to establish the Commission to Study the Maine Education Assessment. Under this resolve, the commission would study the construction, implementation, administration, grading and costs of the Maine Education Assessment and would submit a report of its findings and recommendations to the Second Regular Session of the 119th Legislature and the Joint Standing Committee on Education by December 1, 1999.

**LD 842                      An Act to Authorize a General Fund Bond Issue in the Amount of \$100,000,000 for School Construction and Renovation                      ONTP**

<u>Sponsor(s)</u> FRECHETTE PENDLETON	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 842 was referred to the Appropriations and Financial Affairs Committee and proposed to provide funds, in the amount of \$100,000,000 bond issue, that would be used to fund school construction and renovations.

**LD 870                      An Act to Improve School Safety and Learning Environments                      CARRIED OVER**

<u>Sponsor(s)</u> LAWRENCE SAXL M	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 870 proposes to increase state funding for public school construction and renovations. First, it proposes to increase the school construction debt service limit incrementally until reaching \$80,000,000 beginning in fiscal year 2002-03. Second, it proposes to provide a one-time General Fund appropriation of \$20,000,000 to the General Purpose Aid for Local Schools program to accelerate the retirement of the state share only of older school construction debt. Finally, it proposes to provide a one-time \$20,000,000 appropriation to the School Revolving Renovation Fund to allow additional school renovation projects to be funded. The bill was carried over to the Second Regular Session.

**LD 878**                      **An Act to Require the State to Be Responsible for the Costs of School Employee Criminal History Records Checks and Fingerprinting**                      **INDEF PP**

<u>Sponsor(s)</u> GREEN KONTOS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-405
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LD 878 proposed to require certain applicants for initial certification, authorization or approval as school employees to pay for the expenses involved in undergoing fingerprinting and obtaining criminal history records. The bill also proposed to require that the State pay the expense of obtaining fingerprints and criminal history records for any person renewing their certification, authorization or approval. Under this bill, if funds are not appropriated to the Department of Education to pay the expense of fingerprinting and obtaining criminal history records for any person's renewal, the department would not be responsible for paying this expense.

**Committee Amendment "A" (H-405)** proposed to require that applicants for initial or renewal certification, authorization or approval and the State would share the expense involved in obtaining fingerprints and criminal history records. Under this amendment, the person applying for initial or renewal certification, authorization or approval would pay a one-time processing fee to offset the expenses incurred by the Department of Public Safety to obtain fingerprints. A person applying for initial certification, authorization or approval would pay any processing fee charged by the Federal Bureau of Investigation to conduct a national criminal history record check, and the State would pay up to \$24 of any processing fee charged by the Federal Bureau of Investigation to conduct a national criminal history record check on a person applying for renewal certification, authorization or approval. The amendment also proposed to add an appropriation section and an allocation section to the bill.

The substance of this bill was also addressed by the Criminal Justice Committee in another bill (see Public Law 1999, chapter 110 and this bill was indefinitely postponed).

**LD 879**                      **An Act to Enable School Attendance**                      **ONTP**

<u>Sponsor(s)</u> BRENNAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 879 proposed to require that school boards provide a safe school environment for students who have been the victims of violence and harassment and would require that school boards adopt policies and rules to meet this requirement. This bill also proposed to require a school board to suspend or expel any student who engaged in the harassment of another student. The bill further proposed to provide that students can not be prevented from attending school because they have been victims of violence or harassment.