

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**

SECOND REGULAR SESSION

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

JULY 2000

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

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
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

Joint Standing Committee on Education and Cultural Affairs

LD 490

An Act to Assist Students with Disabilities

DIED IN
CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO PARADIS	ONTP MAJ OTP-AM MIN	

LD 490 was carried over from the First Regular Session and proposed to require that educational services be provided to a student with a disability who is suspended for behavior that is caused by the student's disability. It proposed that schools conduct a prompt review of whether the misconduct for which the school seeks to suspend a student with a disability is a manifestation of the student's disability. If the misconduct is a manifestation of the student's disability, the school could still suspend the student, but must provide services consistent with the student's individual education plan during the suspension.

LD 870

An Act to Improve School Safety and Learning Environments

PUBLIC 789

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE SAXL M	OTP-AM	H-1102 STANLEY H-1190 TOWNSEND S-657

LD 870 was carried over from the First Regular Session and proposed to increase state funding for public school construction and renovations. First, it proposed to increase the school construction debt service limit incrementally until reaching \$80,000,000 beginning in fiscal year 2002-03. Second, it proposed 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 proposed to provide a one-time \$20,000,000 appropriation to the School Revolving Renovation Fund to allow additional school renovation projects to be funded.

Committee Amendment "A" (S-657) proposed to strike and replace the bill. The amendment proposed to clarify that the Legislature must make separate decisions regarding the specific amounts of General Fund appropriations that are allocated to the foundation, debt service and adjustment components of the General Purpose Aid to Local Schools account.

The amendment also proposed to increase the school construction debt service limit over the next 2 biennia to \$74,000,000 in fiscal year 2001-02 and to \$80,000,000 for fiscal year 2002-03 and fiscal year 2003-04 and further proposed to increase the school construction debt service limit to \$84,000,000 in fiscal year 2004-05.

The amendment proposed to direct the State Board of Education to study the so-called "debt service circuit breaker" and to report back to the joint standing committee of the Legislature having jurisdiction over education matters with policy recommendations by December 14, 2001.

The amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-1102) In order to improve school safety and learning environments, this amendment proposed to allow a municipality to expend funds held in its ministerial trust for school construction or renovation if the expenditure is approved by voters of the municipality.

House Amendment "B" to Committee Amendment "A" (H-1190) proposed to direct the State Board of Education and the Department of Education to conduct a study and create a plan to address the needs for improved and new school facilities for those school facility projects beyond Project #22 of the school facility projects on the current major capital improvement priority list. The State Board of Education and the Department of Education plan will be presented to the 120th Legislature no later than January 15, 2001 and must include a review of the rules related to the protected status of projects in the current 2-year rating cycle, a review of the debt service limits and consideration of a "hold harmless" provision related to actions taken by local school administrative units to remediate existing Priority I health or safety issues as defined by Department of Education rules.

The amendment also proposed to appropriate an additional \$1,000,000 from the General Fund as a one-time appropriation to further capitalize the School Renovation Fund for the purpose of addressing existing health, safety and compliance deficiencies such as air quality, leaking roofs, asbestos removal, oil tank and ADA compliance that have been identified in public school facilities across the State.

Enacted law summary

Public Law 1999, chapter 789 directs the State Board of Education and the Department of Education to conduct a study and create a plan to address the needs for improved and new school facilities for those school facility projects beyond Project #22 of the school facility projects on the current major capital improvement priority list. The State Board of Education and the Department of Education plan will be presented to the 120th Legislature no later than January 15, 2001 and must include a review of the rules related to the protected status of projects in the current 2-year rating cycle, a review of the debt service limits and consideration of a "hold harmless" provision related to actions taken by local school administrative units to remediate existing Priority I health or safety issues as defined by Department of Education rules.

The law also appropriates an additional \$1,000,000 from the General Fund as a one-time appropriation to further capitalize the School Renovation Fund for the purpose of addressing existing health, safety and compliance deficiencies in public school facilities across the State. In order to improve school safety and learning environments, the law allows a municipality to expend funds held in its ministerial trust for school construction or renovation if the expenditure is approved by voters of the municipality.