

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, <u>History and Final Disposition of Legislative Documents</u>, 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	
CONF CMTE UNABLE TO AGREE	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES	
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	
NOT PROPERLY BEFORE THE BODY	
INDEF PP	Bill Indefinitely Postponed
ONTP	Ought Not To Pass report accepted
OTP ND	Committee report Ought To Pass In New Draft
	Committee report Ought ToPass In New Draft/New Title
P&S XXX	Chapter # of enacted Private & Special Law
	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.

David E. Boulter, Director Offices Located in the State House, Rooms 101/107/135 LD 1050 proposed to establish the Scholarships for Law Enforcement Education Fund. The purpose of the fund would have been to provide financial assistance in the form of loans to college students and graduating high school seniors who demonstrate an interest in pursuing a career in law enforcement. The Chief Executive Officer of the Finance Authority of Maine would have administered the fund, including loan repayment requirements.

An Act to Clarify the Laws Relating to Nonstate-funded School LD 1053 PUBLIC 206 Construction Projects Approved by the Commissioner of Education that **Replace Existing School Buildings**

Sponsor(s)	Committee Report	Amendments Adopted
KONTOS	OTP	
TOBIN D		

LD 1053 proposed to clarify that, once the voters of a school administrative unit or a consolidated school district and the Commissioner of Education have approved a nonstate-funded school construction project that replaces an existing school building, a separate referendum vote is not required to close the existing school building (closure of buildings due to lack of need or condemnation may still require a referendum vote). The bill also proposed to correct a cross reference in the school closure law to the commissioner's authority to approve locally funded construction projects under the school construction law.

Enacted law summary

Public Law 1999, chapter 206 clarifies that, once the voters of a school administrative unit or a consolidated school district and the Commissioner of Education have approved a nonstate-funded school construction project that replaces an existing school building, a separate referendum vote is not required to close the existing school building.

LD 1056	An Act to Clarify Conflicts of Interest Regarding Local School Board
	Members

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
NUTTING J	ONTP	
JACOBS		

LD 1056 proposed to amend the conflict of interest law for school board members to permit the spouse of a board member to be employed as a substitute teacher or extracurricular activity coach or to work as a volunteer in a school within the jurisdiction of the school board on which that person's spouse serves. The school board member of a spouse who did so would have to excuse himself or herself from salary or other personnel decisions affecting the spouse. See also LD 1354.

LD 1085

An Act to Amend the Qualifications for Participation in the High School PUBLIC 495 **Aspirations Incentives Program**

Sponsor(s)	Co
WATSON	
KONTOS	

ommittee Report OTP-AM

Amendments Adopted H-86

LD 1085 proposed to expand the eligibility criteria for participation in the Post-secondary Enrollment Options Program established last year to provide state subsidy for participation in postsecondary study by certain high school students. The bill proposed to allow students enrolled in grade 10, 11 or 12 to participate without satisfying the academic requirements established last year if assessed and recommended for participation by their school guidance counselor. During discussions on the bill, the committee expressed some concerns about how limited grant funds were distributed by the Department of Education during the first year of the program and about the geographical distribution of grants throughout the state. The committee sent a letter to the Commissioner of Education requesting a report back on these and other issues next session.

Committee Amendment "A" (H-86) proposed that a high school student enrolled in grade 11 or 12 qualifies for the eligibility exception for receipt of a state subsidy for postsecondary courses provided in the bill and also proposed that to qualify for the eligibility exception a student must be assessed and recommended by the administration of the student's school. Finally, the amendment proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 495 expands the eligibility criteria for participation in the Post-secondary Enrollment Options Program established last year to provide state subsidy for participation in postsecondary study by certain high school students. Chapter 495 allows students enrolled in grade 11 or 12 to participate without satisfying the statutory academic requirements if assessed and recommended for participation by the administration of their school.

LD 1089 An Act to Require Consideration of Part-time Students for Dean's List and other Academic Honors within the Maine Technical College System

ONTP

Sponsor(s)	Committee Report
NORBERT	ONTP
LONGLEY	

Amendments Adopted

LD 1089 proposed that part-time students enrolled at each college within the Maine Technical College System receive the same consideration for dean's list and other academic honors as full-time students at those colleges.

P & S 42 LD 1143 An Act to Provide Funding for the Education Research Institute

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN		

LD 1143 was referred to the Appropriations and Financial Affairs Committee and proposed to provide General Fund appropriations for the Educational Research Institute in the amount of \$150,000 in each fiscal year of the biennium to maintain the kindergarten to grade 12 education database and support targeted research projects.

Committee Amendment "A" (H-174) proposed to eliminate the reference to the Joint Standing Committee on Education and Cultural Affairs in the appropriations for the Educational Research Institute and to clarify that the appropriated funds may not be used for travel.

Senate Amendment "A" to Committee Amendment "A" (S-404) proposed to return the changes made to the bill in the Committee Amendment and to deappropriate \$75,000 in each year of the biennium from General Purpose Aid to Local Schools and the University of Maine System to offset the appropriations to the institute.