

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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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
ONT P.....	Ought Not To Pass report accepted
OT P ND.....	Committee report Ought To Pass In New Draft
OT P 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.

Enacted law summary

Private and Special Law 1999, chapter 42 provides an appropriation 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. The appropriated funds may not be used for travel. To fund the appropriation, \$75,000 is deappropriated in each year of the biennium from General Purpose Aid to Local Schools and the University of Maine System.

LD 1215 An Act Regarding the Eligibility of a Citizen to Serve as a School Board Member ONTP

<u>Sponsor(s)</u> MARVIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1215 proposed to prohibit a person and the spouse of a person suing a school board, the school administrative unit or a school within the jurisdiction of the board from serving on that school board if the suit could result in material gain.

LD 1216 An Act to More Equitably Distribute General Purpose Aid to Schools Based on Property Values ONTP

<u>Sponsor(s)</u> BELANGER KIEFFER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1216 proposed to remove the income and cost-of-living factors from the distribution of funding for education under the School Finance Act of 1995, leaving relative property valuation as the only measure of fiscal capacity. It also proposed to require that reductions in state funds be made by applying a mill rate to each school administrative unit rather than a percentage.

LD 1217 An Act to Make Courses that Teach English as a 2nd Language Reimbursable by the State INDEF PP

<u>Sponsor(s)</u> BELANGER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-373
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LD 1217 proposed to require that approved courses that teach English as a second language be included as a subsidizable program cost under the School Finance Act of 1985. Under this bill, schools with approved courses that teach English as a second language would be reimbursed by the State for the costs of these courses.

Committee Amendment "A" (H-373) proposed to replace the bill. Under this amendment, a school administrative unit that places a student in an approved transitional instruction program using English as a second language or bilingual techniques under the Maine Revised Statutes, Title 20-A, section 4701, subsection 2 would receive an adjustment in its state subsidy equal to the amount of supplemental costs for certified instruction programs that teach English as a second language instruction in the approved program. The adjustment to state subsidy would be limited to the salary and benefit costs of certified teachers with an endorsement in English as a second language or bilingual education, as well as the salary and benefit costs of education technicians providing services through a transitional

instruction program using English as a second language or bilingual techniques that has been approved by the Commissioner of Education.

The amendment further proposed to require that this adjustment would be limited to the amount of funds appropriated to general purpose aid to local schools for this purpose. The amendment also proposed to permit the Department of Education to prorate payments to school units if insufficient funds are appropriated for this adjustment, but would prohibit the department from redistributing existing appropriations for general purpose aid to local schools if insufficient funds are appropriated for this purpose.

The provisions of the bill and a General Fund appropriation were included in the Part II Budget bill (see P.L. 1999, chapter 401, Part JJ), and this bill as amended was indefinitely postponed.

LD 1261 An Act to Require the Training of School Personnel Who Administer Medications CARRIED OVER

<u>Sponsor(s)</u> PENDLETON		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1261 proposes to require unlicensed school personnel to be trained before administering medication to students in Maine's public schools and approved private schools. The bill was carried over to the Second Regular Session.

LD 1263 An Act to Ensure Fairness in Calculating the Income Factor in the School Funding Formula ONTP

<u>Sponsor(s)</u> CATHCART DUNLAP		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1263 proposed to establish an appeals process for school administrative units that question the accuracy of the local median household income data used to determine their unit's weighted relative fiscal capacity under the School Finance Act of 1995.

LD 1264 An Act to Ensure Freedom of Speech and Association on Campus ONTP

<u>Sponsor(s)</u> PENDLETON MACK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1264 proposed to ensure that postsecondary students' rights of speech and association would not be unconstitutionally abridged by postsecondary educational institutions incorporated or chartered by the State. The bill further proposed to define protected speech and association and proposed to describe impermissible institutional interference. It also proposed to set forth court action students may take when their rights are violated.