

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 1269

An Act To Improve Indoor Air Quality in Schools

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT GAGNON	ONTP	

LD 1269 proposed that school administrative units be required to maintain and operate every school’s heating, ventilation and air conditioning system (HVAC) to provide the quality of indoor air required by OSHA, NIOSH and ASHRAE standards for air flow, quality, composition and exchange rate. The bill also proposed monthly monitoring of HVAC by the schools and reports to DHS, prompt review by DHS and development of corrective action plans when appropriate. Corrective action was to have been completed in 30 days or a civil violation and fine would result.

LD 1287

An Act to Use State Educational Facilities Efficiently

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GREEN	ONTP	

LD 1287 proposed to require that any higher education institution within the University of Maine System that seeks to sell or dispose of any real property should first attempt to transfer its rights or interests in such property to another institution within the University of Maine System. Under this bill, any higher education institution within the University of Maine System could have acquired such property by agreeing to assume all financial responsibility necessary to maintain the property. The property transfer would have to be approved by the Board of Trustees of the University of Maine System.

LD 1297

An Act to Provide for Timely Implementation of the Maine College Savings Program

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN	ONTP	

LD 1297 proposed to amend the Maine College Savings Program, which was established last year. That program provides an opportunity for parents to save and invest tax-free toward payment of future college costs for their children. The Finance Authority of Maine was charged with the responsibility of administering the program. The bill proposed that if the Finance Authority of Maine fails to fully implement the college savings program by May 1, 1999, responsibility for administering the program would be transferred to the Maine Educational Loan Authority.

LD 1305

An Act to Establish and Fund Conflict Resolution Education and Civil Rights Team Programs in the Public Schools

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON LONGLEY		

LD 1305 proposes to create a grant program within the Department of Education to encourage conflict resolution education programs in public elementary and secondary schools. The programs may include peer mediation programs and may be directed at students and teachers, administrators and other staff.

Committee Amendment "A" (H-317) is the majority report of the committee and proposes to change the title of the bill. This amendment proposes to implement part of the recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings. The amendment further proposes to direct and provide funding for the Department of Education to provide technical assistance to schools in developing violence prevention and intervention training for educators, staff and students that emphasize conflict resolution education, peer mediation and early identification and response to signs of violence. The amendment also proposes to establish a grant program to be administered by the Department of Education to support the establishment of conflict resolution and peer mediation programs in schools. Finally, the amendment proposes to provide funding support for the Attorney General's Civil Rights Team Project. The bill as amended was not funded off the appropriations table and was recommitted to committee and carried over to the Second Regular Session.

LD 1308 **An Act to Clarify Roles and Responsibilities in the Child Development Services System** **PUBLIC 296
EMERGENCY**

<u>Sponsor(s)</u> RICHARD		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-525
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LD 1308 proposed to clarify the following roles and responsibilities of the Child Development Services (CDS) System:

1. That when the state Department of Education’s plan for meeting the requirements of the federal Individuals with Disabilities Education Act exceeds federal minimum requirements, the department must provide justification, to the joint standing committee of the Legislature having jurisdiction over educational matters, for the difference between the State's plan and the federal statute or regulation;
2. That CDS regional site boards of directors are required to seek reimbursement from Medicaid for targeted case management and for Medicaid reimbursable services provided by regional site employees; and
3. That the department is responsible for developing a funding formula for annual grants to the regional sites, and that this funding formula must ensure adequate yearly funding to the extent permitted by department funding and must provide incentives for cost containment.