

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*
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 1346 proposes that when the voters in a School Administrative District (SAD) that has adopted the alternative budget referendum process initially fail to adopt their budget by referendum, the board of directors of the SAD are required to resubmit their budget proposal using the referendum process. Under current law the directors can decide to bring the budget to a second or subsequent vote at an open meeting rather than by referendum. This bill also proposes that a budget proposal submitted a third time may not be greater than the previous school year's budget plus an increase adjusted for the Consumer Price Index. For a budget submitted more than three times, the bill proposes that the budget proposal submitted to referendum must be lower than the proposal made at the previous referendum. The State Board of Education has been requested by committee letter to review and report to the committee next session on this bill and other related school governance and budget issues.

LD 1348 **An Act to Ensure Support Services for Teachers Serving Under a Certification Waiver** **PUBLIC 238**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART BAKER	OTP-AM	S-165

LD 1348 proposed to establish a process for the approval of any waiver of rules administered by the Department of Education.

Committee Amendment "A" (S-165) proposed to replace the bill and to expand the responsibilities of school support systems to include services for developing good teaching and classroom management skills for teachers serving under a certification waiver. This amendment also proposed to add a fiscal note and a mandate preamble to the bill.

Enacted law summary

Public Law 1999, chapter 238 expands the responsibilities of school support systems to include services for developing good teaching and classroom management skills for teachers serving under a certification waiver.

LD 1354 **An Act to Amend the Law Regarding Conflict of Interest** **PUBLIC 128**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELANGER	OTP-AM	H-186

LD 1354 proposed to clarify the situations in which a school board member or a member’s spouse may be an employee or volunteer at a school within the jurisdiction of the school board to which the member is elected. Board members and spouses would be able to serve as unpaid volunteers if not under the direct supervision of an administrator who is directly accountable to the school board. Employment as a substitute teacher in a stipend position or in a salaried or hourly capacity would still be prohibited.

This bill was submitted on behalf of the Department of Education.

Committee Amendment "A" (H-186) proposed to clarify that the situations in which a school board member or a member's spouse may not serve as a volunteer in a public school within the jurisdiction of that school board are limited to situations in which the volunteer has primary responsibility for a curricular, cocurricular or extracurricular program or activity and also reports directly to a school administrator.

Enacted law summary

Public Law 1997, chapter 128 clarifies the situations in which a school board member or a member's spouse may be an employee or volunteer at a school within the jurisdiction of the school board to which the member is elected. Board members and spouses may serve as unpaid volunteers only if they do not have primary responsibility for the curricular, cocurricular or extracurricular program they volunteer in and do not report directly to a school administrator. Employment as a substitute teacher, in a stipend position or in a salaried or hourly capacity is still prohibited as under current law.

LD 1373

An Act to Require the Coordination of School Calendars

ONTP

<u>Sponsor(s)</u> BERRY R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1373 proposed that school boards be required to coordinate their school calendars with the calendars of applied technology programs attended by their students.

LD 1397

An Act to Promote School Achievement

ONTP

<u>Sponsor(s)</u> BRENNAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1397 proposed to establish a grant-award process for school achievement grants. The Department of Education and State Board of Education would establish criteria for the awarding of these grants to school administrative units. The bill proposed an appropriation of \$3,000,000 over the biennium for school achievement grants and provided that those funds would be nonlapsing.