

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

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

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Rep. Irvin G. Belanger

Rep. Mary Black Andrews

Rep. Carol Weston

Staff:

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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 1779

An Act to Make Changes to the Student Incentive Scholarship Program

ONTP

Sponsor(s)
MURRAY

Committee Report
ONTP

Amendments Adopted

LD 1779 proposed to amend the student incentive scholarship program, which provides scholarships of \$1,000 to students attending institutions of higher learning in Maine and in other states with which Maine has a reciprocity agreement or that permit portability of funding. It also proposed to decrease the amount of a scholarship that may be awarded to a student attending an institution of higher learning outside of this State to half that awarded to a student attending a school in the State.

LD 1780

An Act to Provide Financial Incentives for the Initiation of Early Childhood Programs and Services in Public Schools

ONTP

Sponsor(s)
MITCHELL B
PLOWMAN

Committee Report
ONTP

Amendments Adopted

LD 1780 proposed an adjustment under the school funding formula as an incentive for public schools that do not currently offer such programs and services to provide full-day kindergarten, preschool classes and certain other in-school early childhood programs and services.

LD 1784

An Act to Establish School Assessment Tests for 2nd Graders

ONTP

Sponsor(s)
MILLS

Committee Report
ONTP

Amendments Adopted

LD 1784 proposed to require the Commissioner of Education to establish a statewide academic assessment of second grade students in reading, writing and mathematics.

LD 1793

An Act Regarding Funding for Applied Technology Centers

PUBLIC 226

Sponsor(s)
KONTOS

Committee Report
OTP-AM

Amendments Adopted
S-159

LD 1793 proposed to allow reallocation of applied technology education costs for the Portland Arts and Technology High School and the Westbrook Regional Vocational Center beginning in fiscal year 2000-01. The bill also proposed authorizing the Commissioner of Education to approve similar amendments to the cost-sharing agreements of the other applied technology centers.

Committee Amendment "A" (S-159) proposed to correct an improper reference to a fiscal year and amend the title to reflect current terminology.

Enacted law summary

Public Law 1999, chapter 226 reallocates applied technology education costs for the Portland Arts and Technology High School and the Westbrook Regional Vocational Center based on the percentage of the number of students attending from each sending school unit beginning in fiscal year 2000-01. The Commissioner of Education may approve amendments to the cost-sharing agreements of the other applied technology centers.

LD 1798

**An Act to Implement the Recommendations of the Commission to Study
Providing Educators with More Authority to Remove Violent Students
from Educational Settings**

PUBLIC 351

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-453

LD 1798 proposed to implement the following recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings.

1. It would require the Commissioner of Education to develop statewide standards of responsible and ethical student behavior;
2. It would require local school boards to adopt a student code of conduct for their students, develop a response plan for violent or potentially violent situations in each of its schools and adopt a policy that authorizes a teacher to send a student from a classroom to the principal's office and a school bus driver to recommend the revocation of a student's privilege of riding on a school bus;
3. It would provide for more timely reporting of student records between schools and provide that school administrative units retain discretion as to the admission of a student who has been suspended or expelled or is presently the subject of an expulsion proceeding;
4. It would provide that the Department of Education maintain current files on expelled students and provide information to school officials regarding the disciplinary status of students applying for transfer from one school unit to another;
5. It would amend the existing "anti-hazing" statute to include protections for educational personnel as well as students;
6. It would provide that school superintendents give information regarding violent offenses to law enforcement authorities; and
7. It would provide for immunity protections for school personnel.

Committee Amendment "A" (H-453) proposed the following.

It would remove the provision in the bill concerning input by teachers and other educational personnel regarding student disciplinary and placement decisions, and instead add this consideration to the list of policy items that must be included in the district-wide student code of conduct to be developed by school boards with input from educators, administrators, parents, students and community members.

It would remove the provision in the bill requiring a superintendent to report certain offenses that involve violence to appropriate law enforcement authorities, and instead add this consideration to the list of policy items that must be included in the district-wide student code of conduct to be developed by school boards with input from educators, administrators, parents, students and community members.