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 Rep. Elizabeth Watson Rep. Christina L. Baker Rep. Vaughn A. Stedman. Rep. Irvin G. Belanger Rep. Mary Black Andrews Rep. Carol Weston

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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, <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
CONF CMTE UNABLE TO AGREE	
DIED BETWEEN BODIES	House & Senate disagree; bill died
DIED IN CONCURRENCE	One body accepts ONTP report; the other indefinitely postpones the bill
	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
	Bill failed to get vote required for enactment or final pasage
NOT PROPERLY BEFORE THE BODY	Ruled out of order by the presiding officers; bill died
INDEF PP	Bill Indefinitely Postponed
ONTP	Bill Indefinitely PostponedOught Not To Pass report accepted
OTP ND	
<i>OTP ND/NT</i>	
P&S XXX	Chapter # of enacted Private & Special Law
PUBLIC XXX	
RESOLVE XXX	
	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 2054

An Act to Extend New Teachers' Probationary Periods

CARRIED OVER

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

LD 2054 proposes to provide that a probationary period may not exceed two years for a person who has been employed as a teacher for more than three years or three years for a person who has been employed as a teacher for three or fewer years. The bill was carried over to the Second Regular Session and the Maine School Management Association and the Maine Education Association have been requested by committee letter to review and report to the committee next session on this bill and related probationary period issues.

LD 2074

An Act to Allow Local School Officials Greater Freedom in Disciplining Students

ONTP

Sponsor(s) FULLER

Committee Report

Amendments Adopted

LD 2074 proposed to allow school superintendents to establish methods of discipline that may be used by teachers and principals. It also proposed to provide that a teacher or principal who uses an approved method may not be held civilly liable; and would require a parent who challenges the use of a method of discipline to submit a complaint to binding arbitration. This bill further proposed to amend the school truancy provisions to allow a school board to exempt from attendance requirements any student whom the board determines is habitually truant. Under this bill, a court could order the parent of an habitually truant student to pay a fine, attend classes with the student or reimburse the school for staff time incurred due to the student's misconduct. The court could also order the appointment of a surrogate parent or have the student placed under the aegis of the Department of Human Services, which then must develop a plan that ensures the student's attendance. Finally, the bill proposed that an habitually truant student may not be expelled or suspended unless that student is classified as an exceptional student due to behavioral problems or the student is placed in another program.

LD 2077

An Act to Transfer the Child Development Services System to the Department of Human Services

ONTP

Sponsor(s) QUINT RAND Committee Report
ONTP

Amendments Adopted

LD 2077 proposed a transfer of the responsibility for administering the Child Development Services System from the Department of Education to the Department of Human Services, effective July 1, 2000.

LD 2080

An Act to Provide Public School Choice

ONTP

Sponsor(s) LIBBY Committee Report
ONTP

Amendments Adopted

LD 2080 proposed to provide statewide public school choice by authorizing students to enroll in a grade-level appropriate school in any school administrative unit in the State regardless of where the student lives. The bill proposed to replace current law that permits a school administrative unit to decide whether to enroll tuition students residing in other school administrative units. Under the bill, the sending school administrative unit would be responsible for payment of tuition to the school administrative unit on behalf of that student enrolled. In order to qualify to receive tuition payments, the receiving school would be required to notify the sending school of a student's enrollment in a school in the receiving unit by October 1st each year or within 30 days of enrollment. The student or the student's family would be responsible for providing transportation from home to a school in another school administrative unit. Students would be eligible for the full range of programs and activities offered by the school in which enrolled (see also LD 2170).

LD 2083 An Act Regarding Out-of-District Placement

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
FERGUSON	ONTP	
GAGNE		

LD 2083 proposed that the State reimburse a school administrative unit for 100% of the unit's special education tuition and costs for an out-of-district placement approved by the Commissioner of Education. The bill proposed to require the Department of Education to appropriate funds for out-of-district special education placements to those school administrative units that have submitted supporting evaluative data justifying the placement of an exceptional student in an approved regional program.

LD 2170 An Act to Establish a School Voucher Program

ONTP

Sponsor(s)	Committee Report		Amendments Adopted
GLYNN	ONTP	MAJ	
	OTP-AM	MIN	

LD 2170 proposed to provide statewide public school choice by authorizing students to enroll in a grade-level appropriate school in any school, public or private, in the State regardless of where the student lives. The bill proposed to replace current law that permits a school administrative unit to decide whether to enroll tuition students residing in other school administrative units. Under the bill, the sending school administrative unit would be responsible for payment of tuition to the school on behalf of that student enrolled. In order to qualify to receive tuition payments, the receiving school would be required to notify the sending school of a student's enrollment in a school in the receiving unit by October 1st each year or within 30 days of enrollment. The student or the student's family would be responsible for providing transportation from home to the school of the parents' choice. Students would be eligible for the full range of programs and activities offered by the school in which enrolled (see also LD 2080).

LD 2201 Resolve, to Establish the John H. Reed-Kenneth M. Curtis Peace Fellowship

RESOLVE 71 EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
BENNETT	OTP-AM	S-195
HEIDRICH		