

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:

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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 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**

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

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**

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT HEIDRICH	OTP-AM	S-195

LD 2201 proposed to create the John H. Reed-Kenneth M. Curtis Peace Fellowship, administered by the Department of Education, to provide funds for 10 Maine teenagers each summer for three years to attend the Seeds of Peace International Camp in Otisfield, Maine. This fellowship is named for former Maine Governor John H. Reed and Governor Kenneth M. Curtis, both of whom served as United States Ambassadors.

Committee Amendment "A" (S-195) proposed to clarify that the Department of Education will develop a process to select fellowship recipients. The amendment also proposed to add an emergency preamble and emergency clause to the resolve so that peace fellowship funds will be available for the 1999 summer camp.

Enacted law summary

Resolve 1999, chapter 71 creates the John H. Reed-Kenneth M. Curtis Peace Fellowship, administered by the Department of Education, to provide funds for 10 Maine teenagers each summer for three years to attend the Seeds of Peace International Camp in Otisfield, Maine. Under this law, the Department of Education is required to develop a process to select fellowship recipients.

LD 2243, chapter 71 was enacted as an emergency measure effective June 11, 1999.

LD 2221

**An Act to Restore Majority State Funding of Public Education
in Maine**

ONTP

Sponsor(s)
BRENNAN
LAWRENCE

Committee Report

Amendments Adopted

LD 2221 which was jointly referred to the Taxation Committee (the lead committee) and the Education and Cultural Affairs Committee proposed to amend current law that requires that revenue derived from 0.5% of the sales tax be transferred to the Maine Rainy Day Fund for each month following a fiscal year in which General Fund revenue exceeds 8% of projection and that the following October this transfer be replaced with a drop of 0.5% in the rate of the sales tax. The bill was rereferred to the Appropriations and Financial Affairs committee. This bill proposed to amend current law to require that:

1. An amount equal to that generated by 0.5% of the sales tax would be transferred into the program for the general purpose aid for local schools, referred to in this summary as "GPA" rather than the Maine Rainy Day Fund if the GPA provides 51% or less of the State's kindergarten, elementary and secondary school actual operating and program costs and debt service;
2. Any funds provided to the GPA pursuant to this bill must be built into the GPA's base appropriation for future budget years;
3. The transfer to the GPA would not include funds dedicated to municipal revenue sharing;
4. That the tax rate could not be lowered if the tax rate is 5% or lower or if the GPA provides 51% or less of the State's kindergarten, elementary and secondary school actual operating and program costs and debt service; and
5. That any funds transferred to the Maine Rainy Day Fund under current law for the fiscal year ending June 30, 2000 be transferred to the GPA.