

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS**

JULY 2000

MEMBERS:

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Sen. Robert E. Murray, Jr.

Sen. Mary E. Small

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Office of Policy and Legal Analysis

13 State House Station

Augusta, ME 04333

(207)287-1670



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP.....Bill Indefinitely Postponed
ONT P..... 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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN	OTP-AM MAJ ONTP MIN	

LD 2326 proposed to authorize Portland College to grant degrees.

Committee Amendment "A" (H-1078) is the majority report of the committee and proposed to clarify the degrees that may be granted by Portland College. The amendment also proposed that the State Board of Education review the start-up operations of Portland College and issue an interim report to the joint standing committee of the Legislature having jurisdiction over education matters by January 1, 2002 and a final report by January 1, 2003. The amendment also proposed adding a fiscal note to the bill.

LD 2327**Resolve, to Establish a Commission to Study Kindergarten-to-grade-12 Educator Recruitment and Retention****RESOLVE 130
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN	OTP-AM	H-1097 S-794 MICHAUD

LD 2327, a resolve, proposed to establish the Commission to Study Teacher Recruitment and Retention.

Committee Amendment "A" (H-1097) proposed to make the following changes to the resolve:

1. It proposed to change the title of the resolve to align with the additional duties of addressing administrator shortages in the State;
2. It proposed to increase the commission membership total to 14 members by adding 5 new members;
3. It proposed to clarify the convening process for the commission and the appointment process for the commission chair;
4. It proposed to add 3 new duties to the commission charge, including the duty of addressing administrator shortages in the State and the duty of studying financial incentives for the recruitment and retention of teachers;
5. It proposed to allow the commission to request that consulting services be provided to provide staffing assistance and research services for this commission;
6. It proposed to clarify that the commission shall submit its report, together with any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs during the First Regular Session of the 120th Legislature; and
7. It proposed to add an appropriation section and a fiscal note to the resolve.

Senate Amendment "A" to Committee Amendment "A" (S-794) proposed to add an emergency preamble and an emergency clause; proposed to require the Commissioner of Education to convene the first meeting of the commission; proposed to require the Department of Education to provide staffing assistance; proposed to change the date by which the commission must make its report to December 1, 2000; and proposed to decrease the appropriation to \$30,000 by requiring the commission members to serve without compensation.

Enacted law summary

Resolve 1999, chapter 130 establishes the Commission to Study Kindergarten-to-grade 12 Educator Recruitment and Retention. The commission shall study the supply of teachers and administrators in the State, including the causes of and the reasons cited for educator shortages, the types and numbers of educators that Maine schools will need to hire during the next decade and the conditions, practices and types of financial incentives that may lead to the recruitment and retention of educators. The law requires the Commissioner of Education to convene the first meeting of the commission and requires the Department of Education to provide staffing assistance and research services for the commission. The commission shall submit its report and any necessary implementing legislation to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs during the First Regular Session of the 120th Legislature no later than December 1, 2000. The law also provides a \$30,000 appropriation to the State Board of Education to complete school funding research related to the essential programs and services model of school funding.

Resolves 1999, chapter 130 was finally passed as an emergency measure effective May 10, 2000.

LD 2345

**Resolve, to Enhance the Availability of Neuropsychological
Assessment to Maine's Children**

ONTP

Sponsor(s)
KANE

Committee Report
ONTP

Amendments Adopted

LD 2345, proposed that the Department of Education adopt rules allowing and prescribing the use of neuropsychological technicians in the administration and scoring of neuropsychological tests of school children and collaborate with the State Board of Examiners of Psychologists to create a licensure category for neuropsychological technicians. The committee reported the bill out ONTP. By letter the committee requested that the Commissioner of Professional and Business Regulation conduct an independent assessment of the need to regulate neuropsychological technicians under the Sunrise Law. Until July 1, 2001, the Department of Education agreed to permit psychologists to employ neuropsychological technicians to administer and score neurological assessments and to amend the State Plan for special education services under the IDEA to all that to happen.