

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

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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
- 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 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

authorization or approval. Nothing in this amendment proposed to preclude an individual from requesting a state criminal history record check for educational personnel at any time.

Finally, the amendment proposed to add an appropriation section to the bill and appropriate funds to pay for the expenses of the criminal history record check for fiscal years 1999-00 and 2000-01.

Please also see LD 2540 regarding fingerprinting and criminal history record checks for educational personnel.

Enacted law summary

Public Law 1999, chapter 791 provides that the State shall pay for the criminal history record check required for any person regularly employed in a public school during the 1999-2000 school year who requires Department of Education certification, authorization or approval to continue in that person's position. The law specifies that national criminal history record checks for educational personnel need to be conducted only once unless a person has not been continuously employed in a position requiring certification, authorization or approval. A person who has a break in employment service, other than school vacations, must submit to a national criminal history record check at the time of the renewal of the certification, authorization or approval.

The law further provides a 5-year phase-in period for those school personnel who are in the approval category to permit compliance in the remaining timeframe; and also postpones fingerprinting for substitutes and contracted services providers until the 2001-02 school year to allow the Department of Education to collect data on the number of affected individuals who are employed by school administrative units in the State.

The law also specifies that the State will provide reimbursement for any person, organization, school administrative unit or school who has already paid for the fingerprinting and criminal history record check. The law further requires that the State Bureau of Identification may not use the fingerprints of educational personnel for any other purpose than employment screening as provided in the Maine Revised Statutes, Title 20-A, section 6103.

Public Law 1999, chapter 791 was enacted as an emergency measure effective May 18, 2000.

LD 2492

An Act to Ensure Adequate Funding of Adult Education

**P & S 96
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND MICHAUD	OTP-AM	H-848 S-756 MICHAUD

LD 2492 was referred to the Appropriations and Financial Affairs Committee and proposed to appropriate funds to the Department of Education to increase the state subsidy for adult education programs.

Committee Amendment "A" (H-848) proposed to strike the appropriation section of the bill and replace it with a new appropriation section and an allocation section. The new proposed sections would organize

