

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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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

LD 2539

Resolve, to Make Community College Partnership Programs More Accessible and Affordable

ONTP

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

LD 2539, a resolve, was referred to the Appropriations and Financial Affairs Committee and proposed to establish endowments for scholarships at the University of Maine System and Maine Technical College System. The interest from these proposed endowments would have been dedicated to scholarships for students who were enrolled in courses offered under the community college partnership and who demonstrated the requisite need for financial assistance.

LD 2540

An Act Concerning Fingerprinting and Background Checks for School Employees

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERUBE BRENNAN	OTP-AM A OTP-AM B OTP-AM C	S-692 S-735 MURRAY

LD 2540 is a concept draft pursuant to Joint Rule 208. It proposed to affect current law that requires teachers and other school employees in public schools or approved private schools to undergo fingerprinting and state and national criminal history record checks.

Committee Amendment "A" (S-691) is the majority report of the committee.

1. It proposed to provide payment of the full \$49 cost for all employees of public schools and approved private schools, and for all substitutes, but not subsequent costs such as the cost of obtaining court documents if required.
2. It proposed to postpone the fingerprinting requirement for certified individuals not employed in a school until they become so employed.
3. It proposed to provide a 2-year delay for contracted service providers, to allow data collection on the number of providers and to permit compliance in the remaining time frame for all employed personnel.
4. It proposed to provide a 6-month delay for substitutes to permit compliance for regular employees in the remaining time frame. It proposed to provide a 5-year phase-in for the 13,400 other individuals in the approval category to permit compliance in the remaining time frame. Since the Department of Education has not had to maintain accurate records of the number of individuals in the approval category in the past, numbers were inaccurate and there is insufficient time to complete all fingerprinting and record checks without a phase-in. This permits more stability in the number of individuals to be reviewed and processed in each year in the future.
5. It proposed to clarify that individuals employed in private schools approved for tuition purposes and for whom certification and authorization is not required prior to their being hired or placed under