

# 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*

*Rep. Michael F. Brennan, Chair*

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***Staff:***

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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](http://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 2593

**An Act to Extend the Use of Emotional Disability as an Indicator in the Identification of Exceptional Children**

**PUBLIC 721**

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

LD 2593 was reported by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 1999, chapter 424, Part A, section 11. The bill proposed to extend to June 30, 2002 the use of emotional disability as a factor in the identification of exceptional children from birth to 9 years of age. The bill also proposed that the Department of Education study the impact of the use of emotional and behavioral indicators and the likely impact of the use of developmental delay categories in the identification of exceptional children and issue an interim report in 2001 and a final report in 2002.

***Enacted law summary***

Public Law 1999, chapter 721 extends to June 30, 2002 the use of emotional disability as an identifying factor in the identification of exceptional children from birth to 9 years of age. The law also directs the Department of Education to study the impact of the use of emotional and behavioral indicators and the likely impact of the use of developmental delay categories in the identification of exceptional children.

LD 2598

**An Act to Enhance Teacher Development and Meet the Special Needs of Students at the Southern Maine Juvenile Facility**

**DIED BETWEEN BODIES**

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

LD 2598 was referred to the Appropriations and Financial Affairs Committee and proposed to make an appropriation to the Southern Maine Juvenile Facility to enhance teacher development and meet special educational needs of students at the facility. Specifically, the bill proposed to provide \$100,000 for professional development in special education and alternative education, \$39,794 for an additional special education teacher and \$75,000 for tutors and short-term substitutes necessary to address the educational needs of students when the student population is at maximum capacity.

**LD 2608**

**An Act to Improve Educational Programming at Juvenile Correctional Facilities**

**PUBLIC 770  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN BERUBE	OTP-AM	H-956 S-777 MICHAUD

LD 2608 proposed to do the following:

1. It proposed to require juvenile correctional educational programs and schools to receive annual approval by the Department of Education;
2. It proposed to amend the membership, duties, meeting and reporting requirements of the policy review council; and
3. It proposed to establish a task force to study educational programs at juvenile correctional facilities.

**Committee Amendment "A" (H-956)** proposed to clarify that the legislative members of the policy review council are voting, ex officio members. The amendment also proposed to make a technical correction to language in the bill and proposed to add an appropriation section and a fiscal note.

**Senate Amendment "A" to Committee Amendment "A" (S-777)** proposed to replace the committee amendment. The amendment proposed to clarify the membership of the task force on educational programming at juvenile correctional facilities and proposed to add an emergency preamble and clause.

***Enacted law summary***

Public Law 1999, chapter 770 requires juvenile correctional educational programs and schools to receive basic school approval by the Department of Education on an annual basis. The law also adds the chairpersons of the joint standing committee of the Legislature having jurisdiction over education matters as voting, ex officio members of the policy review council and requires the policy review council to meet at least four times a year and to submit a report each year to the Legislature. The law establishes a task force to study educational programs at juvenile correctional facilities, including the best methods of delivering educational services to students at these educational programs. The task force shall submit its report and any legislation necessary to the 120<sup>th</sup> Legislature by November 1, 2000. Public Law 1999, chapter 770 was enacted as an emergency measure effective May 8, 2000.

**LD 2636**

**An Act to Improve the Accountability of the Child Development Services System**

**PUBLIC 621**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2636 was reported by the committee pursuant to joint order. It proposed changes in the process for hiring Child Development Services Regional Site therapists. See LD 2304.

***Enacted law summary***

Public Law 1999, chapter 621 requires the Department of Education, in collaboration with boards of directors of the regional sites in the Child Development Services System, to provide for an annual fiscal and compliance audit of the sites, including review of decisions to hire site staff. The bill also requires site boards of directors to consult with regional provider advisory boards prior to hiring site staff and to provide documentation of the need for hiring such staff.