

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.

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it has created, would continue beyond the end of the current administration. The proposal to codifying the Governor's Children's Cabinet in statute and endorse the expectation of interdepartmental program coordination and the use of so-called "pooled-flexible funds" to provide integrated programs and services to children and families was one of the recommendations of the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students.

Senate Amendment "A" (S-780) proposed to strike out sections of law that were repealed by Public Law 1999, chapter 668. The amendment proposed to add an emergency preamble and emergency clause, revise the limitations of appointments of members, limit Legislators serving on the Council on Children and Families to the period of their legislative term and insert an annual reporting date.

Enacted law summary

Public Law 1999, chapter 785 establishes the Council on Children and Families to advise the Governor, certain state departments, the Legislature and the Judiciary regarding the following goals: to encourage a coordinated system of education and services for children and families, to evaluate the allocation of resources, to promote coordinated budgets and policy, to evaluate program effectiveness and to promote an informal information exchange. This law also ensures the continuation of the Governor's Children's Cabinet by codifying the cabinet in statute and endorsing the expectation of interdepartmental program coordination and the use of so-called "pooled-flexible funds" to provide integrated programs and services to children and families.

Public Law 1999, chapter 785 was enacted as an emergency measure effective May 10, 2000.

LD 2690

An Act to Implement the Recommendations of the Task Force to Review the Educational Program and the Governance System of the Governor Baxter School for the Deaf

PUBLIC 775

Sponsor(s)

Committee Report

Amendments Adopted

LD 2690 is the unanimous report of the committee pursuant to HP 1587. The bill proposed to make several changes to the governance system and the educational programs of the Governor Baxter School for the Deaf. The bill proposed to amend the structure of the school board and to make a number of transition provisions to grant the school board greater autonomy in governing and operating the programs of the school. The bill proposed to accomplish the following.

1. It proposed to provide for a transition over a 2-year period to achieve greater autonomy from State Government; the proposed transition would be fully accomplished by July 1, 2002.
2. It proposed to require the Department of Education and the School Board of the Governor Baxter School for the Deaf to adopt or amend rules related to funding the programs authorized by the school; and it proposed to permit the School Board of the Governor Baxter School for the Deaf greater budget flexibility in operating the school.
3. It proposed to establish a School Board for the Governor Baxter School for the Deaf appointed by the Governor and confirmed by the Legislature.

4. It proposed to allow the school board to authorize and operate satellite school programs.
5. For the next 2 years, it proposed to establish a limit on the number of students enrolled in the residential program at Mackworth Island. The superintendent of the school may request a waiver of the residential enrollment limit from the commissioner on a case-by-case basis if a student's individualized education plan requires a placement in a residential program. Also beginning with the 2002-03 school year, the school board must establish a satellite school program that offers an array of educational programs.
6. It proposed to require a needs assessment to be conducted by a team appointed by the State Board of Education to determine the educational needs of deaf and hard-of-hearing students in all geographic areas of the State. A preliminary report from the proposed needs assessment team must be presented to the Legislature by February 1, 2001 and the final report is due by February 1, 2002. The proposed needs assessment team would also make recommendations on the continued need for a limit on enrollment for the residential program on Mackworth Island and the enrollment capacity of the residential program at both Mackworth Island and any satellite program.
7. It proposed to require submission of an annual budget request to the Legislature for approval and proposed to provide that the Governor Baxter School for the Deaf may keep any lapsed balances in its program account in fiscal years 1999-00 and 2000-01 for the purposes of implementing the basic school approval corrective action plan and preparing to accomplish the transition.

Enacted law summary

Public Law 1999, chapter 775 implements several recommendations of the Task Force to Review the Educational Program and the Governance System of the Governor Baxter School for the Deaf. The law makes several changes to the governance system and the educational programs of the Baxter School, including providing the school board of the Baxter School with greater budget flexibility in operating the school, altering the composition and appointment process of the school board and making a number of transition provisions over the next two years to grant the school board greater autonomy from state government in governing and operating the programs of the school.

The law clarifies that the school board is authorized to operate satellite school programs. The law also establishes a limit on the number of students enrolled in the residential program at Mackworth Island for the next 2 years; and creates an administrative mechanism to allow the superintendent of the school to request a waiver of the residential enrollment limit from the commissioner on a case-by-case basis. The law further provides that, beginning with the 2002-03 school year, the school board must establish a satellite school program that offers an array of educational programs.

In addition, the law requires the school board to make provisions for a needs assessment to determine the educational needs of deaf and hard-of-hearing students in all geographic areas of the State. The needs assessment team will also make recommendations on the continued need for a limit on enrollment for the residential program on Mackworth Island and the enrollment capacity of the residential program at both Mackworth Island and any satellite program established by the school board. The needs assessment will be conducted by a team appointed by the State Board of Education; and the school board will provide a preliminary report of the results of the needs assessment to the Legislature by February 1, 2001. The final report is due to the Legislature by February 1, 2002.