

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

August 2001

Members:

Sen. Betty Lou Mitchell, Chair

Sen. John M. Nutting

Sen. Margaret Rotundo

Rep. Shirley K. Richard, Chair

Rep. Mabel J. Desmond

Rep. James G. Skoglund

Rep. Elizabeth Watson

Rep. Stephen C. Estes

Rep. Glenn Cummings

Rep. Vaughn A. Stedman

Rep. Mary Black Andrews

Rep. Carol Weston

Rep. Mary Ellen Ledwin

Rep. Donald G. Soctomah

Staff:

Phillip D. McCarthy, Legislative Analyst

Julie Read Marsh, Legislative Analyst

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

120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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:

<i>CARRIED OVER</i>	<i>Bill Carried Over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Education and Cultural Affairs

LD 1047

An Act Concerning Teacher Certification for Targeted Need Areas

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON NUTTING J	ONTP MAJ OTP MIN	

LD 1047 proposed to add guidelines to the provision enacted in the 119th Legislature providing for a targeted need area teaching certificate. The bill proposed to require the Commissioner of Education to annually determine teacher shortage areas and identify the use of targeted need area certificates. The bill also proposed to limit the certificates to a period of one year and clarify the hierarchy of all types of certificates.

LD 1089

An Act to Improve Taxpayer Equity in School Funding

CARRIED OVER

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

LD 1089 proposes to increase the weight of the income factor in the school funding formula from 15% to 25%. It also proposes to use the cost-of-living factor to adjust a municipality's property values. This bill also proposes to require the State to use a school unit's weighted relative fiscal capacity to calculate a unit's local share of program costs. The bill has been carried over to the Second Regular Session.

LD 1090

An Act to Repeal the Requirement that School Employees be Fingerprinted

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P WATERHOUSE	PURSUANT TO JOINT ORDER	

LD 1090 proposed to repeal the law requiring background checks and fingerprinting of school employees. This bill also proposed to correct cross-references to the repealed provisions.

House Amendment "A" (H-701) proposed to require the Commissioner of Education to reinstate the certification of educational personnel who were denied certification solely because they refused to comply with the requirement that they be fingerprinted. It also proposed to provide that the Commissioner of Education must determine, after a hearing, whether to grant certification to a person who was fingerprinted and who was denied certification on the basis of the laws that required fingerprinting of educational personnel. The amendment was not adopted.

House Amendment "B" (H-711) proposed to restrict application of the fingerprinting and background check requirements to newly hired educational personnel. This amendment proposed to authorize the Maine State Police and the Commissioner of Education to release certain general information relating to the fingerprinting and criminal

Joint Standing Committee on Education and Cultural Affairs

history record checks of educational personnel. It also proposed to add an appropriation section to the bill. The amendment was not adopted.

While the Education Committee initially voted to carry over this bill to the Second Regular Session, the bill was returned to the Senate pursuant to a joint order (see SP 647).

LD 1100 **An Act to Allow Municipal Officers to Negotiate Employment Contracts with School Employees** **ONTP**

<u>Sponsor(s)</u> SCHNEIDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
--------------------------------	--	---------------------------------	--	---------------------------

LD 1100 proposed to authorize the officers of a municipality, by a majority vote, to elect to negotiate employment contracts with employees of a municipal school unit.

LD 1133 **Resolve, Requiring the Maine Arts Commission to Review the Feasibility of Establishing a Performing Artist Subsidy Program for Fairs** **RESOLVE 16**

<u>Sponsor(s)</u> NASS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-143
---------------------------	--	-----------------------------------	--	------------------------------------

LD 1133 proposed that the Maine Arts Commission establish the Arts at Maine Fairs Subsidy Program to encourage fairs to feature Maine performing artists.

Committee Amendment "A" (H-143) proposed to change the bill to a resolve, change its title and replace the bill.

The amendment proposed to direct the Maine Arts Commission to review the feasibility of establishing a program to provide grants to fairs to assist in paying the fees charged by artists who perform at fairs. The commission would have been required to consult with the Department of Agriculture, Food and Rural Resources, the Maine Association of Agricultural Fairs, the Maine Performing Arts Network and other interested individuals or groups when conducting this feasibility review. The proposed goals of the program were to assist fairs to pay for performing artists, to provide an incentive for fairs to choose local performing artists and to assist local artists to become more widely known through advertising and promotional events. Payments to fairs were proposed to not exceed 50% of the performing artists' fees and must be capped at a fixed amount per fair for any calendar year.

The amendment also proposed to direct the commission to report its findings by February 1, 2002 to the Joint Standing Committee on Education and Cultural Affairs and to authorize that committee to report out legislation on that subject to the Second Regular Session of the 120th Legislature.

Enacted law summary