

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

CHAPTER 78

AN ACT to Establish an Assessment of Student Performance
in the Basic Skills.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the citizens of the State of Maine have a deep and abiding interest in the quality of education offered to the youth of this State; and

Whereas, it is deemed to be of vital importance that every child learn certain basic skills such as reading, writing and the everyday use of arithmetic prior to graduation from high school; and

Whereas, the learning of these basic skills, the successful completion of certain courses and the recommendations of educators should all be factors to be considered in the awarding of high school diplomas; and

Whereas, it is the intent of the Legislature to implement an assessment of student performance in the basic skills to provide a foundation of information necessary for the preparation of policy to meet the educational needs of children; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Preparation of the educational assessment. The Commissioner of Educational and Cultural Services is directed to proceed in the preparation of an assessment of basic skills. In preparing this educational assessment, the commissioner shall proceed as follows.

A. The commissioner shall obtain a broad consensus of the view of Maine citizens on this important matter by soliciting such opinion through surveys, public hearings and such other means as he may deem appropriate. In the process of soliciting the opinion of Maine citizens, the commissioner shall be assisted by a representative panel of citizens selected in the following manner. Representatives shall be appointed by the membership of each of the following organizations: One member each from the State Board of Education, the Joint Standing Committee on Education, the Maine Council on Education, the Maine Secondary Principals Association, the Maine Elementary Principals Association; 2 members from the Maine School Management Association, including one school board member and one superintendent of schools; 2 members from the Maine Teachers Association, including one elementary and one secondary teacher. Four members of the public at-large from rural and urban administrative units shall be selected by the Speaker of the House of Representatives and the President of the Senate. The members of the public may not earn a substantial portion of their income as a teacher or as an administrator in an educational institution. The

Commissioner of Educational and Cultural Services shall serve as an ex officio member of the panel.

B. The commissioner shall prepare appropriate assessment materials designed to measure the performance levels of elementary and secondary school students in the basic skills area in accordance with the citizen opinion to be gathered in paragraph A.

C. The commissioner shall conduct an assessment of basic skills in the 11th grade of all Maine high schools prior to January 1, 1978. This assessment is to be coordinated with the statewide assessment activities of the Maine Assessment of Educational Progress in surveying students in the 4th, 8th and 11th grades.

Sec. 2. Report. The commissioner shall prepare a report to be submitted not later than February 1, 1978, to the Governor and the membership of the 108th Legislature, which report shall summarize the findings of the opinion gathering and assessment activities prescribed in section 1, and shall further include such recommendations for policy action at the state level as are deemed to be appropriate.

Sec. 3. Funding. Funds to cover this Act shall come from any balances in account 1201.4, Federal Program Administration on June 30, 1977, not to exceed \$48,000. This balance shall not lapse but shall be carried forward until June 30, 1978.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective July 22, 1977

CHAPTER 79

AN ACT Providing Funds to Acquire Land for a Passenger Terminal, a Transfer Bridge and a Parking Area for the Casco Bay Ferry Service in Portland.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the vehicular transfer bridge and terminal facilities on the Portland end of the Portland-Peaks Island vehicle ferry service is inadequate and urgently in need of replacement; and

Whereas, in addition to an adequate vehicular transfer bridge, new passenger terminal facilities must be constructed to furnish this vital service not only to Peaks Island but to all the islands of the Casco Bay service area; and