

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION

MAY 1994

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

LD 911 An Act to Require State Funding for All Special Education Costs That Exceed Double the State Average Tuition Rates

ONTP

SPONSOR(S)
COFFMAN

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

Public school special education costs are currently subsidized through the school funding formula in 3 ways: special education costs are combined with vocational education costs, transportation costs and bus service costs and subsidized at a level equal to at least each school unit's state percentage share of education subsidy; an increase in state subsidy may be granted for a unit that experiences a budgetary hardship due to special education costs; and an adjustment may be granted to a unit with out-of-district placement costs in excess of a certain limit.

This bill would have required full state subsidization of all special education costs over a minimum level. The minimum level is calculated as the number of elementary special education students times double the state average elementary tuition rate plus the number of secondary special education students times double the state average secondary tuition rate.

LD 924 An Act to Amend the School Funding Formula

PUBLIC 684

SPONSOR(S)
SKOGLUND
PINGREE

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED
H-1110
H-1119 MITCHELL E

SUMMARY

The original bill established a new method of determining a municipality's ability to support education costs.

Under the current school funding statute, a municipality's state subsidy for education costs is tied to the number of pupils in the municipality and the state valuation of property. This bill replaced state valuation of property with a new measure of wealth defined as median municipal household income times the number of households in the municipality divided by the percent of total municipal property tax assessed on residential property. The income-based model is designed to lessen reliance on property value as a measure of ability to pay.

The bill required that the State fund 100% of all special education tuition and costs for students placed out of district to receive education services. The bill also increased the minimum state allocation to a school unit from 5% to 10% of the foundation per pupil operating rate times the number of pupils in the unit.

COMMITTEE AMENDMENT "A" (H-1110) replaces the bill. The amendment establishes an adjustment to the school funding formula that limits the increase in state subsidy from school year 1993-94 to school year 1994-95 to 60% of the increase, and limits the loss in state subsidy from school year 1993-94 to school year 1994-95 to 40% of the loss. State subsidy for bus purchases and debt service are excluded from the adjustment.

The amendment amends the Maine Revised Statutes, Titles 5 and 20-A to reflect current major policy-influencing positions in the Department of Education. The position changes were proposed in fiscal year 1993-94 in the department's restructuring proposal to the First Regular Session of the 116th Legislature.

The amendment establishes a 5-member committee, the Committee to Study Organizational and Tax Issues in Public Schools. The committee's duties include review of the affordability and efficiency of the State's school districts, review of policies for approving school construction projects, review of the tax structure for funding public schools and review of the structure of education leadership in the State.

The amendment adds a fiscal note and an appropriation of \$58,375 from the General Fund to fund the committee.

The amendment appropriates \$50,000 from general purpose aid to fund a joint research project with the University of Maine System, designed to track meaningful developments in education data related to kindergarten to grade 12. The University of Maine System shall contribute \$50,000 to the project from available resources.

The amendment adds an appropriation of \$169,000 for the current fiscal year to fund services to preschool handicapped children through the child development services program. The appropriation will come from funds recovered through school construction aid audit recoveries.

The amendment permits the Commissioner of Education to spend up to an additional \$125,000 in fiscal year 1993-94 for preschool handicapped children. The funds may come from unobligated balances in fiscal year 1993-94 General Purpose Aid for Local Schools and audit recoveries in school construction aid.

The amendment also permits the Commissioner of Education to spend up to \$45,000 in fiscal year 1993-94 for a teacher aide position and for health and safety issues at the Baxter School for the Deaf. The funds may come from unobligated balances in fiscal year 1993-94 General Purpose Aid for Local Schools and audit recoveries in school construction aid. This amendment also adds a fiscal note to the bill.

HOUSE AMENDMENT "D" TO COMMITTEE AMENDMENT "A" (H-1119) removes funding for child development services and the Governor Baxter School for the Deaf and adjusts the percentages for increases and decreases in state education subsidy for school year 1994-95.

LD 939 An Act to Provide Equitable School Funding

ONTP

SPONSOR(S)

DUTREMBLE D
BRANNIGAN
ROWE

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have amended the laws governing the school funding formula to require that a municipality's wealth or ability to pay be calculated by using median household income, adjusted to reflect the cost of living in the area and the average person's existing tax effort as measured by the property taxes and income taxes that they pay.

This bill would have limited a school unit's state share of subsidy to 70% and would have required that state aid fund only basic education programs.