

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS**

JULY 1997

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Staff:

Phillip D. McCarthy, Ed.D., Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 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

ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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>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 June 26, 1997 and September 19, 1997 for the First Special Session.

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

LD 1861

**RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Provide Equal Educational Funding**

CARRIED OVER

Sponsor(s)
PARADIS
BELANGER D

Committee Report

Amendments Adopted

LD 1861 proposes to amend the Constitution of Maine to require that the Legislature ensure that funding is available to provide equal educational opportunities to students at public schools throughout the State. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1895

**Resolve, to Direct the State Board of Education to Study the School
Funding Formula**

RESOLVE 61

Sponsor(s)

Committee Report

Amendments Adopted

LD 1895 proposed, pursuant to Joint Order (HP 1332), to direct the State Board of Education to establish a committee to study the school funding formula. The state board committee would coordinate its work with the state board committee studying essential programs and services (see LD 1137, section X-1).

The state board committee would accomplish the following:

1. Review the report presented by the Commissioner of Education to the Joint Standing Committee on Education and Cultural Affairs related to the current methods used to calculate the income and cost-of-living adjustment factors. The State Board of Education would submit its findings and recommendations to the Legislature no later than January 1, 1998; and
2. Review the essential programs and services plan presented by the State Board of Education, pursuant to Public Law 1997, chapter 24, Part X, section 1, to the Joint Standing Committee on Education and Cultural Affairs for the purpose of developing an adequate and equitable method to fund essential programs and services. The state board committee would submit its findings and recommendations to the Legislature no later than January 15, 1999. The Joint Standing Committee on Education and Cultural Affairs may report out a bill based on the state board recommendations.

House Amendment “A” (H-729) proposed to replace the resolve and would direct the State Board of Education to study several components of the school funding formula, including but not limited to the following:

1. The amount of state funding and the amount and mix of local tax revenue sources for school funding that would be necessary to provide funding for equal educational programs and services to all children in the State;
2. The effectiveness and fairness of the current practice of including income and cost-of-living adjustment factors in the school funding formula and whether this practice should be continued or if state policy should return to the property tax as the sole determinant of the fiscal capacity of a school administrative unit;

3. The effectiveness and fairness of the percentage reduction method as compared to the mill rate reduction method in implementing necessary state subsidy reductions; and
4. The effectiveness and fairness of minimum subsidies and whether or not this practice should be continued.

In conducting its study, the state board's committee would coordinate its work with the committee studying essential programs and services. The state board would report its findings and any recommended legislation to the Legislature by January 1, 1998. The amendment was not adopted.

Senate Amendment "A" (S-345) also proposed to replace the resolve, was a duplicate of House Amendment "A" (H-729). The amendment was not adopted.

Enacted law summary

Resolves chapter 61 directs the State Board of Education to establish a committee to study the school funding formula. In conducting its study, the state board committee may coordinate its work with the committee studying essential programs and services. This resolve directs the state board committee to accomplish the following:

1. Review the report presented by the Commissioner of Education to the Joint Standing Committee on Education and Cultural Affairs regarding the current methods used to calculate the income and cost-of-living adjustment factors. The state board committee shall submit its findings and any recommendations to the Legislature no later than January 1, 1998; and
2. Review the essential programs and services plan presented by the State Board of Education, pursuant to Public Law 1997, chapter 24, Part X, section 1, to the Joint Standing Committee on Education and Cultural Affairs for the purpose of developing an adequate and equitable method to fund essential programs and services. The state board committee shall submit its findings and recommendations to the Legislature no later than January 15, 1999. The Joint Standing Committee on Education and Cultural Affairs may report out a bill based on the state board recommendations.