

# MAINE STATE LEGISLATURE

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**LEGISLATIVE COUNCIL**  
**March 16, 1993**  
**REVISED AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**\*SECRETARY'S REPORT**

\*Summary of March 2, 1993, Council Meeting

**EXECUTIVE DIRECTOR'S REPORT**

Item #1: Weekly "Sponsor" Report from Bill Status System

**REPORTS FROM COUNCIL COMMITTEES**

Personnel Committee

Legislative Budget Committee

**OLD BUSINESS**

Item #1: Senate Resolution expressing the Sense of the Senate that the Legislative Council Authorize Formation of a Task Force to address the issues related to the workers' compensation rate structure. (Tabled at February 2 Council meeting).

Item #2: Revenue Forecasting Committee Created by Executive Order 4 FY 92/93. (Tabled at February 2 Council meeting)

**NEW BUSINESS**

\*Item #1: Submission of Final Report of the Commission to Implement Computerization of Criminal History Record Information (pursuant to 1985 P & S, Chapter 135)

\*Item #2: Submission of State Plan for the Prevention, Intervention, Treatment and Research of Alcohol and Other Drug Abuse in the State of Maine for 1994 and 1995 (pursuant to 5 MRSA, Part 24, Chapter 521 § 20009)

\*Item #3: Submission of Report on "School Restructuring in Maine" by the Maine Department of Education and the State Board of Education, pursuant to 1991 P.L., Chapter 407.

Item #4: Recommendation from Speaker Martin regarding Salary of Millicent McFarland, Assistant Clerk of the House, pursuant to statute, as amended by 1993 P.L., Chapter 6.

Item #5: Letter from Martha E. Martin requesting consideration of Legislation

Item #6: After Deadline Bill Requests

## **ANNOUNCEMENTS AND REMARKS**

## **ADJOURNMENT**

- 
- \* Agenda items preceded by this symbol are items for the Council's review and information. The usual motion on these items is to "accept and place on file"; in other cases, the item requires no Council action at all.

Lynn Randall  
Legislative Council Info.



STATE OF MAINE

116th LEGISLATURE

LEGISLATIVE COUNCIL

**March 2, 1993**

## **MEETING SUMMARY**

**Approved March 16, 1993**

SEN. DONALD E. ESTY, JR.  
SEN. PAMELA L. CAHILL  
SEN. BEVERLY MINER BUSTIN  
SEN. DAVID L. CARPENTER  
REP. JOHN L. MARTIN  
REP. WALTER E. WHITCOMB  
REP. PATRICK E. PARADIS  
REP. STEPHEN M. ZIRNKILTON

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR

REP. DAN A. GWADOSKY  
CHAIR

SEN. DENNIS L. DUTREMBLE  
VICE-CHAIR

## **CALL TO ORDER**

The Council meeting was called to order by the Chair, Rep. Gwadosky, at 3:10 p.m.

## **ROLL CALL**

### **Senators:**

Sen. Dutremble, Sen. Esty, Sen. Cahill,  
Sen. Bustin, Sen. Carpenter

### **Representatives:**

Speaker Martin, Rep. Gwadosky,  
Rep. Whitcomb, Rep. Paradis,  
Rep. Zirnkilton

### **Legislative Officers:**

Sally Tubbesing, Executive Director  
Lynn Randall, State Law Librarian  
John Wakefield, Director, Office of  
Fiscal and Program Review  
Martha Freeman, Director, Office of  
Policy and Legal Analysis  
David Kennedy, Revisor of Statutes  
Joy O'Brien, Secretary of the Senate  
Joseph Mayo, Clerk of the House

## **SECRETARY'S REPORT**

The Summary of the February 2, 1993, Council meeting was approved and placed on file. (Motion by Sen. Cahill, second by Sen. Carpenter; unanimous).

## EXECUTIVE DIRECTOR'S REPORT

**Item #1:** Adjustments in the Legislative Budget included in the Supplemental Budget, P.L. 1993, Chapter 6.

Sally Tubbesing drew members' attention to a memo that had been distributed in the agenda packet that summarized the impact of the recently passed supplemental budget on the various accounts administered by the Legislature. She noted that it was an informational piece and that she would be happy to answer members' questions.

**Motion:** That the Director's Report be accepted and placed on file. (Motion by Rep. Paradis; second by Sen. Carpenter; unanimous).

## REPORTS FROM COUNCIL COMMITTEES

### Legislative Budget Committee

Sen. Dutremble, Committee Chair, reported that the Committee would be meeting at 1:30 p.m. on Thursday, March 4, as previously announced.

### Personnel Committee

Rep. Gwadosky, Committee Chair, reported that the Committee had met prior to the Council meeting and would be continuing its meeting the following day.

## OLD BUSINESS

**Item #1:** Senate Resolution expressing the Sense of the Senate that the Legislative Council Authorize Formation of a Task Force to address the issues related to the workers' compensation rate structure. (Tabled at February 2 Council meeting).

**Motion:** That this item remain tabled. (Motion by Sen. Cahill; second by Sen. Dutremble; unanimous).

**Item #2:** Revenue Forecasting Committee Created by Executive Order 4 FY 92/93. (Tabled at February 2 Council meeting)

**Motion:** That this item continue to be tabled. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

## NEW BUSINESS

**Item #1: Submission of Report on Proposed Mandated Health Insurance Benefit for Lead Poison Screening in Children pursuant to statute (Ch. 810, P.L. 1991).**

**Motion:** That the report be accepted and placed on file.  
(Motion by Sen. Dutremble; second by Sen. Cahill;  
unanimous).

**Item #2: Request from Bangor Daily News for Assignment of Additional Space in the State House**

**Motion:** That this item be referred to the Committee on State House Space. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

**Item #3: Request from Caucus of New England State Legislatures for Payment of Dues**

**Motion:** That this item be referred to the Legislative Budget Committee. (Motion by Sen. Dutremble; second by Sen. Cahill; unanimous).

**Item #4: After Deadline Bill Requests**

Before proceeding with the list of After Deadline requests, the Chair, Rep. Gwadosky, asked David Kennedy for a status report on bill drafting. Mr. Kennedy responded that, as of this date, 810 bills had been released to the Secretary and Clerk for reference and printing, and 442 requests had been withdrawn by the sponsors, leaving a total of 939 bills "still to come." Of this number, he reported that more than half were out for sponsor review and signature and 472 had yet to be drafted. He noted that his office was getting more and more requests for substantive revision of drafts sent out for final review and that these requests had an obvious impact on his office's ability to turn its full attention to the bills yet to be drafted. In response to a question from Rep. Gwadosky, he projected that it would be mid-April before all of the bills filed by cloture were finally drafted and released by his office, noting that this date was consistent with prior years.

The discussion that followed Mr. Kennedy's report raised the following issues and questions:

1. Whether sponsors shouldn't be directed to take further changes to the committee rather than have the original bill redrafted, since Committees amend the vast majority of bills that they report out anyway. (Sen. Dutremble).

Mr. Kennedy responded that he thought this should be explored; but that it was difficult to adopt a "new way of doing business" in mid-session. Martha Freeman, Director of Office of Policy and Legal Analysis, expressed her agreement with Mr. Kennedy's concern about changing the rules in mid-stream, but noted that Council members could encourage their respective caucus members to take further changes directly to Committees in order to get the bills out more quickly. Mr. Kennedy agreed that this would be helpful.

After some further discussion, Council members expressed agreement that the presiding officers should make a statement from the rostrum to this effect.

2. Whether the priority attached to Joint Resolutions should be re-examined. (Sen. Esty).

In response to a question from Rep. Gwadosky about the time involved in drafting a Joint Resolution, Mr. Kennedy responded that they went through the entire process in his office -- drafting by an attorney, typing, proofing -- and that they required staff and time resources equivalent to a 1-2 page bill.

Sen. Esty expressed concern that Joint Resolutions were not as high a priority as bills and that the Legislature and individual members had other vehicles available to accomplish the purpose of a Joint Resolution. Sen. Bustin agreed they could be given the lowest priority, but noted that they were an important tool for communicating with -- or "instructing" -- the U.S. Congress.

The Council then proceed with its consideration of After Deadline requests. The Council's action on these requests is included on the attached list.

## **ANNOUNCEMENTS AND REMARKS**

None.

## **ADJOURNMENT**

The Council meeting was adjourned at 4:35 p.m., on the motion of Sen. Dutremble.

LEGISLATIVE COUNCIL  
ACTION ON REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
March 2, 1993

	Action
SPONSOR: Rep. Cashman	ACCEPTED
LR 2221 An Act Concerning Tribal Protection Orders	
SPONSOR: Rep. Clark	WITHDRAWN
LR 2149 An Act to Require Bear Stamps for Hunting of Bear in Certain Months	
SPONSOR: Rep. Coffman	WITHDRAWN
LR 2121 Resolve, to Ensure Facilities Management at the University of Maine	
SPONSOR: Sen. Conley, Jr.	ACCEPTED
LR 2206 An Act to Facilitate the Laws Governing Oil Spill Cleanup Operations	
SPONSOR: Sen. Conley, Jr.	ACCEPTED
LR 2216 An Act to Extend the Commission to Study the Future of Maine's Courts	
SPONSOR: Rep. Driscoll	ACCEPTED
LR 2181 An Act to Clarify the Law Concerning Complimentary Licenses for Disabled War Veterans	
SPONSOR: Sen. Dutremble, Dennis L.	ACCEPTED
LR 2201 An Act Concerning Independent Contractors under the Workers' Compensation Law	
SPONSOR: Sen. Dutremble, Dennis L.	WITHDRAWN
LR 2202 An Act to Clarify the Financial Authority of the Workers' Compensation Board	

		Action
SPONSOR:	Sen. Dutremble, Dennis L.	WITHDRAWN
LR 2203	An Act to Preserve Salary Savings Generated within the Workers' Compensation Commission	
SPONSOR:	Rep. Gwadosky	ACCEPTED
LR 2222	Resolve, Approving the 1993 Draft Arrangement of the Constitution of Maine Made by the Chief Justice of the Supreme Judicial Court and Providing for its Publication and Distribution	
SPONSOR:	Rep. Jacques	ACCEPTED
LR 2212	An Act to Bring State Water Quality Law into Compliance with Federal Requirements	
SPONSOR:	Rep. Joseph	ACCEPTED
LR 2204	An Act to Make State Drug Testing Standards for Marijuana Consistent with Federal Standards	
SPONSOR:	Rep. Joseph	ACCEPTED
LR 2207	An Act to Require that Doctors of Chiropractic Medicine be Included as SELECT Physicians in the Maine State Employees Health Plan	
SPONSOR:	Rep. Larrivee	ACCEPTED
LR 2195	An Act to Support Literacy	
SPONSOR:	Sen. Luther	ACCEPTED
LR 2118	An Act to Restore Funds to the Election Ethics Commission	
SPONSOR:	Sen. Luther	WITHDRAWN
LR 2127	An Act to Amend the Definition of Taxable Services to Include Ski Lift Tickets and Movie Tickets	
SPONSOR:	Sen. Luther	ACCEPTED
LR 2191	An Act to Amend the Selection Practices for the Administration of the Mexico Water District	

		Action
SPONSOR:	Rep. Melendy	ACCEPTED
LR 2218	An Act to Amend the Knox County Budget Committee	
SPONSOR:	Sen. Summers	FAILED
LR 2072	An Act Concerning the Eligibility of Children of Disabled Veterans to Obtain Educational Benefits	
SPONSOR:	Sen. Summers	WITHDRAWN
LR 2094	An Act Regarding Muzzle Loading	
SPONSOR:	Sen. Summers	WITHDRAWN
LR 2183	An Act to Encourage Parental Responsibility	
SPONSOR:	Sen. Summers	ACCEPTED
LR 2214	An Act to Provide Relief to Families Facing Nursing Home Expenses	
SPONSOR:	Sen. Vose	ACCEPTED
LR 2198	An Act to Amend the Emergency 911 Statutes	
SPONSOR:	Rep. Zirnkilton	ACCEPTED
LR 2103	An Act to Create the Seal Cove Pond Fish Stocking Program	

#### JOINT RESOLUTION

SPONSOR:	Rep. Pfeiffer	WITHDRAWN
LR 1857	JOINT RESOLUTION MEMORIALIZING CONGRESS RELATING TO RU 486	
SPONSOR:	Rep. Whitcomb	WITHDRAWN
LR 0053	JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ALTER THE FLIGHT ZONES OF HELICOPTERS	

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR:	Rep. Bowers	TABLED 03/02/93
LR 2185	An Act to Encourage the Use of User Fees Regarding Municipal Solid Waste Disposal	
SPONSOR:	Rep. Coffman	TABLED 02/02/93
LR 2117	An Act to Freeze Tuition Rates for all In-State University of Maine System Students	
SPONSOR:	Rep. Fitzpatrick	TABLED 03/02/93
LR 2194	An Act to Prevent Criminalization and to Promote Jail Diversion	
SPONSOR:	Rep. Gray	TABLED 01/07/93
LR 2104	An Act to Abolish the Workers' Compensation System	
SPONSOR:	Rep. Joy	TABLED 03/02/93
LR 2210	An Act to Authorize the Display of Prisoners of War Missing-in-Action Flags on Legal Public Holidays	
SPONSOR:	Rep. Larrivee	TABLED 03/02/93
LR 2196	An Act to Create a Sales Tax Exemption for Eye Banks	
SPONSOR:	Rep. Martin, John L.	TABLED 03/02/93
LR 2213	An Act Relating to Private Property Rights	
SPONSOR:	Sen. McCormick	TABLED 03/02/93
LR 2200	An Act to Encourage Economic Recovery in the Construction Industry	
SPONSOR:	Rep. Mitchell, James	TABLED 03/02/93
LR 2209	An Act to Authorize a Referendum Vote for Approval of a Contract for Disposal of Low-level Radioactive Waste Generated in this State	
SPONSOR:	Sen. Paradis, Judy	TABLED 03/02/93
LR 2217	An Act to Provide Savings for the State While Providing Services for the State's Long-term Care Consumers	

SPONSOR: Rep. Skoglund  
TABLED  
03/02/93

LR 2223 An Act to Expand the Authority of Property Managers

SPONSOR: Sen. Summers  
TABLED  
03/02/93

LR 2192 An Act to Maintain the Water Level of the Saco  
River at 1991 Levels

SPONSOR: Rep. Swazey  
TABLED  
03/02/93

LR 2186 An Act Concerning Removals of Valid Concealed  
Weapons Permits

SPONSOR: Sen. Titcomb  
TABLED  
02/02/93

LR 2125 An Act to Require Labeling on Genetically Engineered Food

#### JOINT RESOLUTION

SPONSOR: Sen. Bustin  
TABLED  
03/02/93

LR 2211 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND  
CONGRESS TO TRANSFER A PORTION OF INCREASED REVENUES  
FROM CIGARETTE, ALCOHOL OR MOTOR FUEL EXCISES TO THE  
STATES

SPONSOR: Rep. Martin, John L.  
TABLED  
01/07/93

LR 1686 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO ESTABLISH A NATIONAL VETERANS  
CEMETERY

SPONSOR: Rep. Michaud  
TABLED  
01/07/93

LR 1552 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO REAFFIRM AND IMPROVE OUR NATION'S  
EFFORTS TO PROTECT AND RESTORE THREATENED AND  
ENDANGERED SPECIES

SPONSOR: Rep. Simoneau  
TABLED  
01/07/93

LR 0960 JOINT RESOLUTION MEMORIALIZING CONGRESS ALLOWING  
STATES TO SET THEIR OWN TAX POLICIES FOR CREDIT UNIONS

SPONSOR: Sen. Titcomb  
TABLED  
01/07/93

LR 2073 JOINT RESOLUTION MEMORIALIZING CONGRESS TO CREATE A  
NATIONAL CHILD SAFETY AWARENESS WEEK

SARAH C. TUBBESING  
EXECUTIVE DIRECTOR  
OF THE LEGISLATIVE COUNCIL

RICHARD N. SAWYER, JR.  
ADMINISTRATIVE SERVICES  
DIRECTOR

GERALD THIBAUT  
INFORMATION SYSTEMS  
MANAGER

TEEN ELLEN GRIFFIN  
LEGISLATIVE INFORMATION OFFICE  
MANAGER



MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL

March 12, 1993

TO : Honorable Dan Gwadosky, Chair,  
and Members of the Legislative Council

FROM : Sally *Sally*

SUBJECT : Weekly "Sponsor Report" from Bill Status System

We produce four weekly reports from the Bill Status system, which list all bills that have been referenced in at least one body. Each of the 4 reports organizes the bills in a different way:

- by LD #;
- by Committee of Reference;
- by Sponsor; and
- by Subject.

The reports are available in the Law Library and the Rotunda for general public use and on a subscription basis through the Document Service.

The "Sponsor Report" lists all bills sponsored and cosponsored for each member. Currently, this report is printed over the weekend on a large "page printer" operated by the Bureau of Data Processing -- this is the fastest and least expensive way to produce these reports. The staff in the Legislative Information Office then "unbundle" the Report and put each member's list in the member's mailbox. We have only anecdotal information about how useful these reports are to members; however, the question: "Can you give me a list of my bills?" is one of the most frequently asked of Information Office staff.

The "unlimited cosponsor" rule has had a dramatic effect on the size of the Sponsor Report: with less than half of the bills printed, this Report is already 3 times as many pages as it was at the end of the First Regular Session two years ago. I have concerns both about the cost of printing the Report (which will increase as it grows) and the ability of the Information Office staff to continue to get it to members on a timely basis. I have discussed the situation with Teen and the other members of the Information Office staff and we have developed a recommendation for your consideration:

**Recommendation:**

That we discontinue the current "mass" printing and distribution of the weekly Sponsor Report and offer members the following options in place of the current system:

1. Members may request that they continue to receive this Report on a weekly basis. We will send each member a "subscription form" for this purpose.
2. Members may go to the Legislative Information Office at any time and request a listing of their bills. The Information Office staff will print these out as time allows during the day, and the list will be put in the member's mailbox (or on the member's desk in the case of the Senate) no later than the next morning.

We believe that this approach will eliminate paper for those members who don't really want the Report every week; provide them with more current information about their bills when they do request a report; and reduce the expense of producing the report in terms of both cash and staff time. Teen and I would be happy to answer any questions you may have and appreciate your consideration of our proposal.

cc: Teen Ellen Griffin  
Attachment

116TH MAINE STATE LEGISLATURE FIRST REGULAR SESSION

LEGISLATIVE INFORMATION SYSTEM - BILL STATUS REPORT BY SPONSOR

DB: TEST6  
RPT: STATUS

As of Friday March 5, 1993

Sponsor: Rep. Dutremble  
of Biddeford

Paper#	LD	Title	Committee	Date	Sponsor	Lawtype	Ch.
HP0297	385	An Act to Require Commercial Trucks to Operate with Care in Adverse Weather Conditions	TRA (ONTP) Hse: 03/02/93 Sen: 03/02/93	02/09/93 PUR. PUR.	Pouliot of Lewiston JT RULE 15(3) JT RULE 15(3)		
HP0353 EMERGENCY	456	An Act to Ensure Reimbursement for Counties under the Community Corrections Programs	COR Hse: 02/11/93 Sen: 02/11/93	02/11/93 REF'D TO COMMITTEE REF. IN CON.	Stevens, Jr. of Sabattus COR COR		
		Co-Sponsors: Handy of Androscoggin					
HP0359	462	An Act to Provide Greater Access to Private Roads during Emergencies	TRA Hse: 02/11/93 Sen: 02/11/93	02/11/93 REF'D TO COMMITTEE REF. IN CON.	Farnum of South Berwick TRA TRA		
HP0360	463	An Act to Require the Provision of Local Law Enforcement	SLG Hse: 02/11/93 Sen: 02/11/93	02/11/93 REF'D TO COMMITTEE REF. IN CON.	Farnum of South Berwick SLG SLG		
HP0365	468	Resolve, Creating the Kennebec County Law Enforcement Examination Commission	SLG Hse: 02/11/93 Sen: 02/11/93	02/11/93 REF'D TO COMMITTEE REF. IN CON.	Vigue of Winslow SLG SLG		
		Co-Sponsors: Carey of Kennebec					
HP0376	489	An Act Relating to Credit Terms for Retail Liquor Licensees	LEG Hse: 02/16/93 Sen: 02/17/93	02/16/93 REF'D TO COMMITTEE REF. IN CON.	DiPietro of South Portland LEG LEG		

## LEGISLATIVE INFORMATION SYSTEM - BILL STATUS REPORT BY SPONSOR

DB: TEST6  
RPT: STATUS

As of Friday March 5, 1993

Sponsor: Rep. Dutremble  
of Biddeford

Paper#	LD	Title	Committee	Date	Sponsor	Lawtype	Ch.
HP0378	491	An Act to Amend the Laws Governing Condominiums	LEG	02/16/93	Kerr of Old Orchard Beach	LEG	
			Hse:	02/16/93	REF'D TO COMMITTEE	LEG	
			Sen:	02/17/93	REF. IN CON.	LEG	
HP0433	552	An Act to Amend the Laws Pertaining to the Inspection and Registration of Automobiles	TRA	02/18/93	Vigue of Winslow	TRA	
			Hse:	02/18/93	REF'D TO COMMITTEE	TRA	
			Sen:	02/18/93	REF. IN CON.	TRA	
Co-Sponsors:		Luther of Oxford	Tardy of Palmyra				
HP0435	554	An Act to Establish Mediation to More Efficiently and Fairly Enforce the State's Environmental Laws	ENR	02/18/93	Melendy of Rockland	ENR	
			Hse:	02/18/93	REF'D TO COMMITTEE	ENR	
			Sen:	02/18/93	REF. IN CON.	ENR	
HP0487 EMERGENCY	645	Resolve, to Reduce the Administrative Costs of State Government	APP	02/23/93	Pouliot of Lewiston	APP	
			Hse:	02/23/93	REF'D TO COMMITTEE	APP	
			Sen:	02/25/93	REF. IN CON.	APP	
HP0507	665	An Act to Amend the Laws Governing Sexual Exploitation of Minors	JUD	02/25/93	DiPietro of South Portland	JUD	
			Hse:	02/25/93	REF'D TO COMMITTEE	JUD	
			Sen:	02/25/93	REF. IN CON.	JUD	
Co-Sponsors:		Amero of Cumberland					
HP0565	762	An Act to Improve Child Care Services in the State	HUM	03/02/93	Pineau of Jay	HUM	
			Hse:	03/02/93	REF'D TO COMMITTEE	HUM	
			Sen:	03/04/93	REF. IN CON.	HUM	
Co-Sponsors:		Paradis of Arrostook					



Joy J. O'Brien  
Secretary of the Senate

Maine State Senate  
Augusta, Maine 04333

January 13, 1993

Sally Tubbesing, Exec. Director  
Legislative Council  
State House Station #115  
Augusta, ME 04333

*Sally*  
Dear Ms. Tubbesing:

Enclosed is a copy of the Senate Resolution relative to the opinion of the Senate that the Legislative Council form a Task Force which was adopted by the First Regular Session of the One Hundred Sixteenth Legislature of the State of Maine.

If you have any questions, please do not hesitate to contact me.

Thank you.

Sincerely,

*Joy J. O'Brien /sc*

Joy J. O'Brien  
Secretary of the Senate

JOB/scc

enclosure

STATE OF MAINE

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-THREE

---

SENATE RESOLUTION EXPRESSING THE OPINION OF THE  
SENATE THAT THE LEGISLATIVE COUNCIL FORM A  
TASK FORCE

WHEREAS, the Superintendent of Insurance has recently authorized a workers' compensation rate structure for the Maine Employers' Mutual Insurance Company at a level higher than that in effect in the residual market pool in 1992; and

WHEREAS, the intent of the Legislature in establishing the mutual company was to achieve a reduction in rates; and

WHEREAS, such an increase would be burdensome on Maine employers and their employees and unacceptable to the Legislature; now, therefore, be it

RESOLVED: That it is the sense of the Senate that the Legislative Council should authorize the formation of a task force to rapidly design and report a remedy to the Joint Standing Committee on Banking and Insurance in order that the Legislature may act before greater damage is done to the Maine economy.

IN SENATE CHAMBER  
READ AND ADOPTED

---

1208W-LR2107(1)

JAN 12 1993

JOY L. O'BRIEN  
SECRETARY

SENATE RESOLUTION EXPRESSING THE  
OPINION OF THE SENATE THAT THE  
LEGISLATIVE COUNCIL FORM A TASK FORCE

OK  
R.O.F.S.

(Senator CIANCHETTI)

PRESENTED BY: *C. Cianchetti*

COUNTY: Somerset

(Senator McCORMICK)

COSPONSORED BY: *D. McCormick*

COUNTY: Kennebec

(Senator KIEFFER)

COSPONSORED BY: *A. Kieffer*

COUNTY: Aroostook

(Senator ESTY)

COSPONSORED BY: *D. Esty*

TOWN-COUNTY: Cumberland

LR2107(1)



OFFICE OF  
THE GOVERNOR

NO. 4 FY 92/93  
DATE September 10, 1992

**AN ORDER REVISING THE CONSENSUS ECONOMIC FORECASTING COMMISSION  
AND THE REVENUE FORECASTING COMMITTEE**

WHEREAS, past and recent events in the regional economy have focused increased public and governmental attention on the importance of broadening and strengthening the procedures and techniques used in developing a state economic forecast and in estimating state revenues; and,

WHEREAS, it is in the public interest to develop broad public, legislative and executive consensus for state revenue projections and the state economic assumptions on which they depend; and,

WHEREAS, this Administration wants to establish a formalized process for the development of state economic assumptions and state revenue projections from which a consensus can be reached between the Executive and Legislative branches of State Government;

WHEREAS, the method of selecting members to serve on the Consensus Economic Forecasting Commission and the Revenue Forecasting Committee must be streamlined to ensure that their work can be completed in a timely fashion;

NOW, THEREFORE, I, John R. McKernan, Jr., Governor of the State of Maine, do hereby revise Executive Order 14 FY 91/92, "An Order Establishing the Consensus Economic Forecasting Commission and the Revenue Forecasting Committee" for the purpose of streamlining the method of selecting members so that the Consensus Economic Forecasting Commission and the Revenue Forecasting Committee may complete their work in a timely fashion and serve as a more comprehensive approach to consensus forecasting for state economic assumptions and state revenues in the mutual best interests of the Executive and Legislative branches of State Government.

**Consensus Economic Forecasting Commission**

**1. Membership.**

The Consensus Economic Forecasting Commission established by Executive Order 14 FY 91/92 to provide the Governor, the Legislature, and the Revenue Forecasting Committee with analyses, findings, and recommendations representing state economic assumptions relevant to revenue forecasting shall consist of 5 members appointed as follows: two members shall be appointed by the Governor; one member shall be recommended for appointment to the Governor by the President of the Senate; one member shall be recommended for appointment to the Governor by the Speaker of the House; and one member shall be appointed by the previous four members. One of the previous five members shall be selected by a majority vote of the Committee members to serve as the Chairperson of the Commission. Commission members shall be appointed within 15 days of the effective date of this Executive

Order and shall serve until January 1995. Thereafter, the Commission members shall be appointed in January of odd-numbered years. A member may not be a Legislator or an employee of the Executive Branch, the Legislature or the Judicial Department. Each Commission member must have professional credentials and demonstrated expertise in economic forecasting.

All members shall be appointed for terms to coincide with the legislative biennium. Vacancies shall be filled in the same manner as the original appointments, for the balance of the unexpired term, except as provided below.

In the event that one or more positions on the Commission remains unfilled on the 16th day after the effective date of this Executive Order, or in the event that the expeditious filling of a vacancy is required to enable the Commission to perform its duties in an efficient and timely fashion, the Governor shall make such appointments at such times and in such a manner as he deems necessary.

2. Duties of the Commission.

- a. Duties. The Consensus Economic Forecasting Commission shall develop 5-year and 10-year macro-economic secular trend forecasts and one-year, 2-year, and 4-year economic forecasts.
- b. Biennial Economic Assumptions. The Commission shall submit recommendations for state economic assumptions for the next fiscal biennium and analyze economic assumptions for the current fiscal biennium which must be approved by a majority of the Commission members. No later than November 1st of each even-numbered year, the Commission shall submit to the Governor, the Legislative Council and the Revenue Forecasting Committee, a report which presents the analyses, findings and recommendations for economic assumptions related to revenue forecasting for the next fiscal biennium. In its report, the Commission shall fully describe the methodology employed in reaching its recommendations.
- c. Current Biennium Adjustments. No later than February 1st and November 1st of each year the Commission shall submit to the Governor, the Legislative Council and the Revenue Forecasting Committee, a report which presents the Commissions' findings and recommendations for adjustments to the economic assumptions for the current fiscal biennium. In each report the Commission shall fully describe the methodology employed in reaching its recommendations.

3. Contracts.

The Commission may enter into contractual arrangements subject to state purchasing procedures for the procurement of economic forecasting models, data, assumptions and assistance in analyzing the data.

4. Meetings.

The Commission shall meet at least four (4) times a year. Additional meetings may be called by the Chairperson or by any three members. All meetings shall be open to the public.

5. Staffing.

The Commission shall receive staff support from the State Planning Office.

### Revenue Forecasting Committee

#### 1. Established; membership.

There is established the Revenue Forecasting Committee for the purpose of providing the Governor, the Legislature and the State Budget Officer with analyses, findings and recommendations relating to the projection of revenues for the General Fund and the Highway Fund based on economic assumptions recommended by the Consensus Economic Forecasting Commission. The Committee shall include the State Budget Officer, the State Tax Assessor, the State Economist and an Economist on the faculty of the University of Maine System selected by the Chancellor and, at the discretion of the Legislature, the Director of the Office of Fiscal and Program Review. One of the previous five members shall be selected by a majority vote of the Committee members to serve as the Chairperson of the Committee.

#### 2. Duties of the Committee.

- a. Duties; Use of Economic Assumptions. The Revenue Forecasting Committee shall develop current fiscal biennium and ensuing fiscal biennium revenue projections using the economic assumptions recommended by the Consensus Economic Forecasting Commission.
- b. Biennial Revenue Projections. The Committee shall submit recommendations for state revenue projections for the next fiscal biennium and analyze revenue projections for the current fiscal biennium which must be approved by a majority of the Committee members. No later than December 1st of each even-numbered year, the Committee shall submit to the Governor, the Legislative Council, the Joint Standing Committee on Appropriations and Financial Affairs, and the State Budget Officer, a report which presents the analyses, findings and recommendations for General Fund and Highway Fund revenue projections for the next fiscal biennium. In its report the Committee shall fully describe the methodology employed in reaching its recommendations. Revenue projections for other funds of the state may be included in the report at the discretion of the Committee.
- c. Current Biennium Adjustments. No later than March 1st and December 1st of each year the Committee shall submit to the Governor, the Legislative Council, the Joint Standing Committee on Appropriations and Financial Affairs, and the State Budget Officer a report which presents the analyses, findings and recommendations for adjustments to General Fund revenue and Highway Fund revenue for the current fiscal biennium. In each report the Committee shall fully describe the methodology employed in reaching its recommendations. Revenue adjustments for other funds of the state may be included in the report at the discretion of the Committee.

#### 3. Use of Revenue Forecasts.

The State Budget Officer must consider the revenue projections recommended by the Committee in setting revenue estimates in accordance with Title 5, Section 1665, subsection 3. If the State Budget Officer adjusts the revenue projections recommended by the Committee, he shall submit to the Governor, the Legislative Council and the Joint Standing Committee on Appropriations and Financial Affairs, a report which presents the analyses, findings and recommendations by revenue line explaining the variances from the revenue projections recommended by the Committee.

4. Meetings.

The Committee shall meet no less than four (4) times a year. Additional meetings may be called by a majority vote of the Committee.

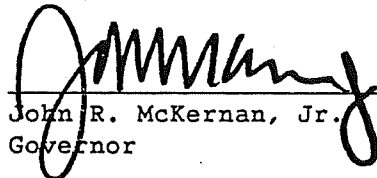
5. Staffing.

The Committee shall receive staff assistance from the Bureau of the Budget, the the State Planning Office, and the Bureau of Taxation, and, at the discretion of the Legislature, the Office of Fiscal and Program Review. The Committee may also utilize any other professionals having revenue forecasting, economic and fiscal expertise at the discretion of the Committee.

6. Access to information.

In order to assist the Committee, the Department of Administrative and Financial Services shall provide information and data to the Committee on request. The Committee members will be bound by the confidentiality restrictions concerning certain tax records as described in Title 36, Chapter 7. The State Tax Assessor may disclose any corporate or individualized income tax data, sales and use tax data, business tax data, property tax data or other tax data to the Revenue Forecasting Committee or their staff. This information may be requested in any form, including paper records, computerized data or summary statistics, but may not be transmitted with any identification by taxpayer name, number or address and must be aggregated to include at least three taxpayers.

The effective date of this Order is September 10, 1992.

  
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John R. McKernan, Jr.  
Governor

SEP 14 1992

# **School Restructuring in Maine**

**Submitted to**

**The Joint Standing Committee on Education**

**and**

**The Executive Director of the Legislative Council**

**Maine Department of Education and the State Board of Education**

**In Response to L.D. 1189**

**"An Act Relating to Restructuring the Public Schools"**

**December, 1992**

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# School Restructuring in Maine

## Summary of Findings

School restructuring is defined in L.D. 1189 as "the process by which schools and communities make significant changes in the existing school structure, including the policies, roles, relationships and schedules that influence teaching and learning in the school." Section 5 specifies that this report include the following information: "a summary of the number of schools participating in restructuring programs, a description of the types of restructuring programs, the number of school and educator program approval waivers requested and granted and a listing of the specific rules for which waivers were requested.....an assessment of the effectiveness of school restructuring, including recommendations on how restructuring may become more effective, how replication of successful efforts may be encouraged and how dissemination of information on school restructuring may be enhanced."

## Summary of Schools Participating

It has been determined that:

- 72 school districts (43% of all districts) are involved in the process of restructuring.
- 57 districts (79% of those involved) receive funding in support of restructuring activities.
- 86% (49 of the funded districts) receive funds from the Department of Education, 44 districts from the Department's Innovative Education Grant Program, three from the Early Childhood Demonstration Sites Grant Program, and two from the federally-funded ServeAmerica Grant Program.
- 8 districts are known to receive funding from sources outside the Department of Education, 6 from private foundations and 2 from federal sources.
- 35 (49% of the participating districts) are at the beginning stages of restructuring.
- 76% (29 districts) of these beginning districts are funded by the Department of Education; 4 districts are funded from other sources, and two receive no funding.
- 29 (40% of participating districts, 17% of all districts) have at least one school which has made progress and is committed to continue restructuring. The Department's goal is a "critical mass" of 50% of all districts.
- 55% of these continuing districts are funded by the Department of Education, 4 are funded by others.

## **Types of Restructuring Programs**

The Department of Education's restructuring approach is used by 51 of the 72 participating districts. Other programs and approaches represented among the remaining districts include the Champion Paper Company Common Core of Learning Institute, the Center for Educational Services cluster of programs, the Southern Maine Partnership Renewing Schools Project, the Western Maine Partnership's Cooperating Schools Project, (a description of this project is not available) and the Maine Aspirations Foundation's UNUM Restructuring Project. In some cases, districts involved with the Department are also involved with at least one of the other projects.

## **Number of Waivers Requested and Granted**

Thirteen waivers related to restructuring in schools have been requested and granted since June, 1991: 11 requesting variations in instructional days to allow teachers time to work together (Chapter 125); one requesting science credit for an interdisciplinary course (Chapter 127); and one requesting changes in the focus of summer school for secondary-level students (Chapter 313). No waivers have been requested from educator preparation programs.

# **Program Descriptions**

## **Department of Education**

### **Program Development**

The Department of Education began to support restructuring schools through its Innovative Education Grant Program in 1988. Ten schools received three-year Innovative Grants to explore restructuring. A state-level advisory group was created to provide direction for this aspect of the Innovative Grants Program and the Department provided five seminars yearly for teams from each school. No on-site consultation was provided by the Department and each school was charged with finding their own way through the complexities of restructuring.

In 1990, the Department became involved with the Coalition of Essential Schools. Part of the Innovative Grant Program was used to support schools and school districts who wished to pursue the Coalition's Nine Common Principles as an organizer for restructuring. In 1991, the Coalition of Essential Schools and the Education Commission of the States formed a national partnership called Re:Learning, to unite policy, rules and governance from the "schoolhouse to the statehouse". Re:Learning was adopted by the state and Maine was formally included among 13 other Re:Learning states in May, 1992.

Meanwhile, in 1990, Maine's Common Core of Learning was completed and distributed to all Maine teachers and administrators. During that school year, the Department's Division of Curriculum conducted two sets of day-long regional workshops in eight regions of the state. Division consultants also led hundreds of informational workshops for local school and community groups and discussed the Core at conferences and professional educational group meetings around the state.

During the 1991-92 school year, a group of consultants representing all the subdivisions of the Department designed and led a series of two-day seminars for school-community teams in four regions of the state. The seminars trained teams to discuss the Common Core of Learning with their communities and with whole school faculties. Division of Curriculum consultants also led local teachers and community groups through this discussion process in 20 school districts and designed a restructuring process based on the Common Core of Learning to test with a small group of willing districts.

## **Changes in the Department's Approach**

In the spring of 1992, the Department assessed its restructuring work and made the following changes as a result:

**The Coalition of Essential Schools' Nine Common Principles and the Common Core of Learning were combined** into one comprehensive picture of restructuring. Schools no longer choose one approach as an entry point, but select strategies from any approach which meets their needs.

**The Innovative Education Grants Program was refocused** to provide local schools with funding for restructuring. The traditional project orientation of the grant program had succeeded in moving many schools to realize that they needed to restructure, but the same project orientation would not result in fundamental school change.

**Each Innovative Grant recipient also received the services of a Department of Education consultant.** The Department had tried providing restructuring funds without consultant support and had tried providing consultant support without funding. Neither approach resulted in substantial local movement toward change. Experiences outside Maine indicate that a percentage of schools attempting to restructure will not be successful, but the acceptable failure rate has not been determined.

**Existing consultant positions within the Department were restructured** to provide the minimal time and expertise needed to help schools restructure. Six consultants, five in the Division of Curriculum and one in the Division of Special Education, voluntarily contribute all or part of their time to work with restructuring schools.

**The six consultants changed their approach to working with schools,** so that they were no longer visiting "experts" in a specific curriculum area. The six now take a broad range of roles in their work with schools, including facilitator, process designer, assessor and intervener. These consultants are skilled in group dynamics, conflict resolution, organizational development, problem solving, strategic planning and the school change process.

**Sixteen of the funded schools were chosen for intensive assistance** in the restructuring process. These schools are beyond the beginning stages and what the Department learns from working with them will increase the effectiveness of its work with the large group of beginners. Research provides a great deal of information about the first steps and little information about what comes next.

**The training system the Department uses to help restructuring schools was changed.** The Department learned that bringing school teams together at a central location and teaching them about restructuring or some aspect of it resulted in minimal transfer of the information and in minimal restructuring progress when the teams returned home. It is now expected that teams, with the assigned consultant's help back home, will incorporate new ideas within the entire faculty. An "admissions policy" was established to ensure that schools attending state-level seminars, meetings and institutes were in fact ready to use the information or the experience back home. In some cases, schools need to supply evidence that they have completed necessary preliminary work. State-level activities for restructuring school teams now fall into one of three categories:

**networking**, to learn what other schools are doing and how;

**planning**, to completely understand a new step in the restructuring process and assess local readiness to move on to it;

**introduction of new instructional approaches** based on the Common Core of Learning, to learn and practice a new approach and then assess the readiness of the entire school staff to learn and implement it.

Due to the small number of skilled consultants available to work with restructuring schools, **it was decided to offer restructuring support to districts in any of three categories:** those who received an Innovative Grant; those who applied for a grant and were recommended for funding but could not be funded (40 schools) and those with whom the Department had a preexisting restructuring process relationship, but who did not request funding. Consultants working directly with restructuring schools spend an average of three days each week in these schools. Since September, eight additional districts requesting (and by all indications ready to benefit from) the same level of intensive consultation have been referred to one of the other restructuring programs listed above.

**Each school receiving an Innovative Education Grant is working with the Department consultant to create a portfolio** which will be used to assess its progress at the end of the school year. This portfolio assessment system is the most staff and time effective way to evaluate both school progress toward change and the effectiveness of the Department's school change process.

**A generic process for school change was designed** by the six consultants, based on education research, the Common Core of Learning, the Nine Common Principles, information about approaches used across the country, and knowledge of how schools work. The process is constantly evolving as new information is integrated. (A roughly sequential overview of the major steps in the Department's restructuring process is included in the Appendix.)

**The Department, the Center for Educational Services in Auburn and the University System began meeting** on a regular basis to identify common needs and approaches to restructuring. These discussions led to the receipt of a \$500,000 three-year grant from the Pew Charitable Trust for the Restructuring Support Project. The project's goal is to create a self-sustaining, statewide infrastructure to support the development and maintenance of local educational systems in which both adults and students learn well. The grant is administered by the Center for Educational Services and activities connected with it have just begun.

In order to increase consultant ability to help the adults in schools and communities work more effectively together, **the Division of Curriculum formed a partnership with Pratt Whitney**, which is releasing staff to train Division of Curriculum consultants in the company's Total Quality Management approach.

### **Department of Education Restructuring Resources:**

\$300,000 Innovative Education Grant Program (supports 44 districts)  
\$ 48,000 Maine's ServeAmerica Grant award (supports two districts)  
\$ 40,000 Federal Chapter II state leadership grant (supports all state-level restructuring program activities)  
\$150,000 Early Childhood Demonstration Sites Program  
Equivalent of four full-time consultants

## **Champion Paper/University of Maine Common Core of Learning Institute**

In the winter of 1992, Champion Paper Company awarded the University of Maine at Farmington a \$300,000 grant to create a Common Core of Learning Institute on campus. The project selected two school districts to receive grants of \$8,600 to create Common Core of Learning curricula. The project's goal is to foster change in both schools and in the University faculty involved with teacher preparation and staff development. By working directly with teachers from the two school districts, faculty will learn more about school change and the Common Core of Learning and will develop inter-disciplinary projects of their own as part of their teacher preparation responsibilities.

## **The Maine Aspirations Foundation**

The mission of the Maine Aspirations Foundation is to raise the aspirations of all Maine youth by increasing their personal expectations, expanding their career, educational, and personal choices, and improving their academic performance and the achievement of other learning outcomes. The Foundation believes that this requires a long-term commitment and, in some cases, fundamental changes in schools and other community organizations. Among other projects, the Foundation has created 10 school-community partnerships designed to connect schools, communities and at least one key business. Five of these partnerships involve liaisons from UNUM who work directly with the partnerships to develop strategic plans.

## **The Maine Math and Science Alliance Statewide Systemic Initiative (SSI)**

The Maine Math and Science Alliance is a non-profit organization created in 1992 as a result of a \$10 million National Science Foundation grant to the state. The Alliance serves as the fiscal agent for this grant and for matching public and private funds dedicated to the Initiative. This new organization is composed of a broad membership with the President of Bowdoin College serving as Board Chair, the Director of Inventory Control at L.L. Bean serving as Vice Chair, the Commissioner of the Maine Department of Education as Treasurer, and the Associate Director of the Maine Science and Technology Commission as Secretary. There are 30 members of the Board of Advisors representing individuals and constituencies such as the Maine Science Teachers Association, the Association of Teachers of Mathematics in Maine, National Semiconductor, Bigelow Laboratories, and school administrators. The Board membership reflects the public, quasi-public and private educational leadership necessary to bring about systemic change in Math and Science Education.

This project is a second year effort of the National Science Foundation (NSF) through its Statewide Systemic Initiative (SSI) program. Directed at the improvement of mathematics and science education, SSI expects to impact education from pre-kindergarten through graduate schools of education. The Statewide Systemic Initiative is based on the following premises: all students can learn; every student must have equal access to mathematics and science; mathematics and science must be connected to life outside the classroom.

The restructuring effort is overseen by four committees the work of which is coordinated by the staff of the Maine Mathematics and Science Alliance. The four committees are: Curriculum, Instruction and Assessment; Professional Preparation and Development; Community Integration; and Systemic Planning and Evaluation. Each committee is chaired by one of the project's Principal Investigators.

**The Curriculum, Instruction and Assessment Committee** is responsible for developing statewide curriculum standards and frameworks in mathematics and science. It has also established seven school sites, called Beacon Schools, to serve as laboratories for these undertakings. At each site, a math and a science facilitator serve as change agents.

**The Professional Preparation and Development Committee** is in charge of the year-long staff development institutes built around the curriculum standards and frameworks. The second major activity of this committee is the development of a Beacon College to assure that educators receive the training and staff development necessary for world-class math and science education to occur in Maine schools.

**The Community Integration Committee** is responsible for working with the Community Action Teams that each Beacon site and many non-Beacon sites establish to involve parents and the community directly in education. This committee is also responsible for the MERITS (Maine Educational and Research Internships for Teachers and Students) program, which matches teachers and students with businesses, research laboratories, and universities for paid summer internships.

**The Systemic Planning and Evaluation Committee** is responsible for facilitating the overall process of the project and for overall project evaluation.

The Math and Science Alliance expects to develop state math and science curriculum frameworks and standards based on Maine's Common Core of Learning.

# The Southern Maine Partnership

The Southern Maine Partnership is a collaboration of the University of Southern Maine, twenty-two school districts and three private schools. It is part of John Goodlad's National Network for Educational Renewal, which has a dual purpose: the renewal of schools and the renewal of teacher education. The partnership supports itself through membership dues and funds from the UNUM Charitable Trust. The Partnership works in the following areas:

- A network of reflective practice groups for educators, convened by university faculty. Each group sets its own agenda, but offers regular opportunities to read, reflect and discuss teaching and learning with colleagues from other member districts.
- Foxfire involves over 100 classroom teachers in learning about and using this dynamic student-centered approach. Teachers take an intensive graduate course and then meet monthly to share experiences and improve practice.
- Forums and Seminars are held for superintendents and principals involving leadership in teaching and learning. The Partnership also arranges for lectures and seminars with prominent educational thinkers and practitioners.
- The network of Renewing Schools, formed in 1991, consists of self-selecting schools pursuing school-wide renewal/restructuring efforts. Renewing schools commit to the following core practices:
  1. Rethinking curriculum, instruction and assessment with emphasis on how students learn;
  2. Developing and using assessment tools appropriate for new conceptions of teaching and learning;
  3. Staff development approaches based on adult learning and active intellectual engagement with issues;
  4. Rethinking the organization of the school with the goal of improving the learning environment for students and the professional environment for teachers;
  5. Exploration of roles for parents, businesses and community members as partners in education;
  6. Evaluating renewal efforts and their benefits to students.
- Mini-grants are awarded to teachers who develop new assessment tasks and share them with others at an annual conference on assessment.
- Demonstration Schools Project involves three schools in school-wide restructuring based on outcome-driven change.
- Teacher education is important to the Partnership, so it is actively involved in USM's Extended Teacher Education Program, which has replaced the undergraduate major in teacher education. Students are placed in Partnership schools for one-year post baccalaureate internships.

## **The Center for Educational Services**

The Center for Educational Services is a non-profit organization serving public and private Maine schools. Founded in 1975, its mission is to stimulate and support school improvement activities that strengthen education in Maine by providing services that enhance learning, professionalism, leadership and collaboration. The Center's major purpose is to identify unserved needs in Maine schools and develop innovative services to help educators meet those needs. The Center's services cluster in three major areas: curriculum and instruction, technology, and human resource development. Each area provides support for restructuring schools. Of particular interest is the human resource development component. The Center's human resource development staff provide organizations with help to become more effective and efficient. Staff provide models, methods and training to help groups accomplish tasks and achieve goals effectively, offering services in strategic planning and goal setting, team building, conflict resolution, leadership development and staff development system planning.

### **Restructuring Support Project (RSP)**

In partnership with the Department of Education and the University of Maine, this project is designed to help schools involved with restructuring. Activities include documenting the work currently being done in Maine schools, improving communication among and between schools engaged in the change process; informing the legislature about the reform process, providing support to professional associations in the state as they work with their membership, and providing direct assistance to schools.

# Assessment of Effectiveness

The Department has begun to see the following changes in Maine schools:

- ♦ a dramatic increase in the number of ungraded elementary-level classrooms;
- ♦ an increase in elementary-level team teaching;
- ♦ school readiness and transitional classes phased out at the elementary level;
- ♦ schools at all grade levels focusing learning on what is developmentally appropriate for children of a particular age span;
- ♦ more programs for four-year-olds created, often in collaboration with Head Start and public and private child care providers;
- ♦ high schools moving to extended class time blocks;
- ♦ common teacher planning time integrated into the regular school day;
- ♦ the school year extended for teachers;
- ♦ a core curriculum, designed and taught by interdisciplinary teacher teams is being implemented for heterogeneous groups of students at the high school level;
- ♦ along with the development of core curriculum, elimination of student tracking;
- ♦ the local development of comprehensive student assessment systems based on the student's ability to demonstrate mastery of key knowledge, skills and attitudes in a variety of concrete ways;
- ♦ schools at all levels moving toward individual student education plans; at the high school level the move is to involve students heavily in the design of their own learning plans, at the elementary level, schools are providing time during the school day for children to plan and carry out their own learning activities;
- ♦ widespread high school level adoption of advisor-advisee systems;
- ♦ conscious movement to teach students the skills they need to accept responsibility for their own learning;
- ♦ a growing realization that the Common Core of Learning is the guide for curriculum and instruction at all grade levels.

Schools at more advanced levels of restructuring are currently trying to find solutions to the following problems:

1. How to help parents understand that the changes being made in the school will result in more effective practices. Parents of honors and advanced placement students are uneasy about the elimination of tracking and the adoption of heterogeneous grouping. Portfolio and other forms of non-standardized assessment seem to them to work against admission into top colleges. These parents want to be sure the school is challenging their children to learn.
2. How to help the school board understand why these changes are necessary.
3. How to replace report cards, which seem to furnish little important information, with another format which will accurately communicate the child's real progress.
4. How to implement a reorganized school year when parents and community members are concerned about the price tag.
5. How to create a balance between organizing so that every student can master the Common Core of Learning and being realistic about the ability and willingness of students to do so.
6. How to create student assessment systems which provide information as reliable as standardized tests (which are seen as measuring only a portion of what students should leave school knowing and able to do) and which also make the school and its teachers accountable for results.
7. How to manage the transition from traditional practices to radical new approaches. Many schools at this stage are operating with two systems -- the old side-by-side with the new. For example, many of these schools still provide traditional report cards while their teachers spend extra hours also writing a narrative description of the child's progress and evaluating the child's portfolio of work.
8. How to develop new formats for teacher professional development so that new approaches are truly and completely integrated into classroom practice.
9. How to teach adults in the school and the community the skills they need to solve problems, work well together and resolve philosophical differences for the benefit of students. An important aspect of systemic school change is how to create a climate which supports school change while leading to strong, positive relationships between adults and children.
10. How changes made in individual schools can be supported at the district level, when only one school may be ready to restructure.

# Assessment of Department of Education Approaches

So far, the state has no common agreement regarding the characteristics of effective restructuring approaches. The Restructuring Support Project is working to collect information and identify common characteristics of success, but that work is just beginning. In the absence of a common system for assessment, the Department of Education can report only on its own work.

In the spring of 1992 the Department evaluated the effectiveness of its restructuring efforts to date and determined that:

**Department restructuring efforts and initiatives were scattered and confusing to many school districts.**

Many educators believed that there was no road map to follow in beginning and continuing restructuring, yet **research and practice indicated that all approaches had common components.**

By focusing on large masses of people, Department activities had increased interest and heightened awareness among a large group of schools, but the same **shotgun approach was ineffective in helping schools** make fundamental changes.

The determination of the **"effectiveness" of school restructuring efforts to date was largely in the eye of the beholder.** Neither schools or the Department had been able to collect objective information about acceptable levels of progress, and the Department had no capacity to do so.

As other organizations created their own restructuring projects, **communication** among these projects and the Department became crucial.

**Restructuring takes place one school at a time.** The most effective way to help schools restructure is to provide intensive school-by-school support. Schools which can afford to purchase this kind of help and to pay staff for extended leave time for planning and learning have succeeded in making fundamental changes.

The concept of **creating a "critical mass" of educators and community members** in each school and across the state who recognize the need to change, which was the goal of the Department's widespread Common Core of Learning activities, needed to be applied to the number of schools restructuring. At the school level, the Department defines the critical mass of faculty as 80%; at the community level 30% to 40%; at the state level, we believe that if 50% of Maine schools show strong commitment to restructuring, their work will redefine policy, legislation, teacher preparation and evaluation, student assessment, and allocation of education resources.

The changes made as a result of this assessment are described in the Program Description section of this report. Anecdotal information collected during the last four months indicate these changes are welcomed by Maine schools. Every state-level event has been well attended and the six consultants have seen steady progress in virtually every school. The portfolio assessment process is expected to provide detailed information at the end of the school year.

# Recommendations

L.D. 1189 requests recommendations in three areas: how restructuring can become more **effective**, how **replication** of successful efforts can be encouraged and how **dissemination** of information can be enhanced. Since this legislation was enacted, much has been learned about the restructuring process. One key finding is that strategies which work in one school will not necessarily work in another. Because each school and community is unique, the restructuring process must allow for individual differences, while still providing a template to keep the process moving. The Department's process (described in the Appendix) seems to meet both criteria. Schools can start at any spot in the process.

In light of this, the Department recommends that:

1. The legislature expand the Innovative Education Grant program by providing the Department of Education with a formal statement of support for the program and for its approach to school change, thus allowing the Department to secure a private match for the existing funds. (effectiveness, dissemination, replication)
2. The legislature partner with the Department in the search for the business funding and expertise needed to create an electronic network for restructuring schools and a "case management" record keeping system within the Department which allows for analysis of the data already collected from restructuring schools. (dissemination, replication)
3. The Department of Education continue to grant waivers, based on L.D. 1189, to restructuring schools hampered by education policies and rd regulations.
4. The Department, through its Re:Learning partnership between the Coalition of Essential Schools and the Education Commission of the States continue to explore state education policies and regulations which hamper the change efforts of schools, and to explore the concept of "levels of regulation". This idea would leave regulations in effect for schools struggling to meet the basic educational needs of their students, while releasing other schools who can prove these needs are met. The effect could be the release of Department of Education employees from regulatory responsibilities, allowing them to be retrained to work as restructuring consultants to schools. (effectiveness, replication)
5. The legislature provide the Department of Education with sufficient funds over a three-year period (estimated at \$60,000 yearly for three years) to contract for continuing, detailed evaluation of restructuring progress and the efficacy of the Department's process. (effectiveness, replication)

6. The legislature maintain funding for the six consultants currently assigned to work with restructuring schools and formally support the search for private funding to match their work with additional staff and resources. (effectiveness, replication)
7. The legislature allocate new state funds so the Department can award competitive grants to other organizations to improve the restructuring knowledge level of school boards and to build the capacity of local districts to design public relations and community involvement plans. (effectiveness, dissemination)
8. The Department continue to support the Restructuring Support Project, the partnership between the Department, the University and the Center for Educational Services. (effectiveness, dissemination, replication)

# Appendix

## The Department of Education's Restructuring Process

Vision



Beliefs



Student Outcomes

What do we believe is important about teaching, learning, education?

What do we want all students to know and be able to do?



Concrete Picture

What would be happening if our beliefs were alive every day in school? What would be happening if we were organized so that all students left school with the outcomes we desire for them?



Characteristics of the Future School

What primary components or themes are inherent in this picture?

Reality



What are we doing now to support or move toward our picture in each of the characteristics identified?



Where are our practices out of alignment with the beliefs and student outcomes



Climate Scan

What are the characteristics of a climate supportive of change in the school? In the community?



Climate Assessment

Where are we now in relation to these characteristics? What evidence do we have to support this assessment?



Change Scan

Where are we now in relation to the key conditions for change? What evidence do we have to support this assessment?

# Changing Practice (Plan→ Do → Reflect)

## Student Outcomes

1. Categorize outcomes
2. Identify indicators for each category
3. Assess "measurability" of indicators and revise
4. Design assessment
  - a. determine "exit" points
  - b. create exit demonstrations, performances
  - c. identify standards for each exhibition
  - d. develop timelines for pilots
  - e. check exhibitions against the vision
5. Pilot assessment

6. Identify changes in curriculum and instruction as a result of exhibition design

7. Identify policy changes as a result of the exhibition approach.

8. Develop the assessment plan for the district.



STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333

JOHN L. MARTIN  
SPEAKER

March 15, 1993

TO: Honorable Dan Gwadosky, Chair  
and Members of the Legislative Council

FROM: John L. Martin, Speaker of the House

SUBJECT: Salary for Millie McFarland, Assistant Clerk of the House

As you know, Millie McFarland's election to the post of Assistant Clerk of the House last fall would have required her to incur a loss in salary of several thousand dollars annually as the law was written. Council members approved an amendment to the law, which was adopted in the Supplemental Appropriations bill and signed into law (1993 P.L. Chapter 6). That amendment allows prior service in the Offices of the Secretary of the Senate or the Clerk of the House to be taken into consideration in assigning individuals to steps within the statutory ranges.

Pursuant to the law, I now recommend that Millicent McFarland be assigned to Step 6 of Range 9 at a biweekly salary of \$1,518.66 for a 39-hour week. This is equivalent to the salary she had been receiving in her prior position.

Our earlier discussion of the amendment acknowledged Millie's many years of service as the Chief Calendar Clerk - experience which has not only uniquely equipped her to carry out her new duties, but which has allowed the essential work of the Clerk's Office to go on in a time of transition.

Attachment  
cc: Joseph W. Mayo, Clerk of the House

Sec. I-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1992-93

ADMINISTRATIVE AND FINANCIAL  
SERVICES, DEPARTMENT OF

Salary Plan

Personal Services

(\$100,000)

Provides for the deappropriation of funds from savings to be generated through a hiring freeze. The State Budget Officer shall report to the Joint Standing Committee on Appropriations and Financial Affairs no later than April 15, 1993 with a plan to distribute available savings.

PART J

Sec. J-1. 3 MRSA §162-A, first ¶, as amended by PL 1987, c. 769, Pt. A, §2, is further amended to read:

Notwithstanding any other provisions of law, the salaries of the following legislative officials ~~shall be~~ are at the salary ranges indicated in this section. ~~At Except as provided below,~~ at the time of initial appointment, the salary of each of these officials shall may be set at Step A and,--in-no-case,--may-it exeeed or Step B, but no higher than Step B, of their respective ranges, except that any employees of the office of the Secretary of the Senate or the office of the Clerk of the House of Representatives at the time of initial appointment must have their salary set at a step within their respective salary range so that no loss of gross pay is experienced by those employees. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

PART K

Sec. K-1. Acceptance of health insurance premium dividends and surplus funds. Notwithstanding the Maine Revised Statutes, Title 5, sections 285 to 286 or any other provision of law, the State Controller is authorized to accept \$698,072 of health insurance premium dividends currently on deposit with Blue Cross and Blue Shield of Maine. The dividends and surplus funds include the General Fund and ancillary funds not otherwise

Martha E. Martin  
RFD#3, Box 3775  
Gardiner, Maine 04345  
Tel: 724-3208

March 5, 1993

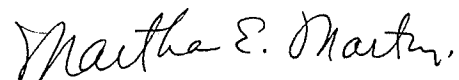
Members  
Legislative Council  
116th Maine State Legislature  
Station No. 115  
Augusta, Maine 04333

Dear Sir or Madam,

I'm writing to request that you consider promulgating legislation this session that would **institute a five-year moratorium** on matters/issues that do not pass this session. In five years they could gather the support they need for another try or the idea would die for lack of interest. A bill coming back year after year is not only expensive, it is debilitating to the efficient operation of legislative/governmental operation.

As a taxpayer, I do not want to see my money spent again and again for the special interest groups to push through an LD that doesn't have enough merit for passage. As a state employee directly affected by a lessening of needed income, I do not enjoy seeing my grandchildren go without all the things they need so that special interests may hammer us all to death each year until we give in and give them what they want.

Sincerely,



Martha E. Martin

CC: Agriculture Committee,  
Relating to LD 420

Rep. John F. Marsh,  
West Gardiner

**LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
March 12, 1993**

**Action**

**SPONSOR: Sen. Conley**

LR 2239    An Act to Implement the Recommendations of the  
            Special Commission on Governmental Restructuring  
            Pertaining to the Judicial Branch

Cosponsors: Rep. Lipman

**SPONSOR: Rep. Brennan**

LR 2242    An Act to Enable the Creation of the Volunteer  
            Social Workers Project

**SPONSOR: Sen. Dutremble, Dennis L.**

LR 2233    An Act to Identify Costs of Utility Projects Which  
            Would Be Borne by Municipalities and Corporations  
            that Provide Services to Municipalities

**SPONSOR: Sen. Esty**

LR 2227    An Act to Amend the Professional Surveyors Licensing  
            Requirements

**SPONSOR: Rep. Hatch**

LR 2241    An Act to Enhance the Ability of the Department of  
            Human Services to Collect Child Support Payments

**SPONSOR: Rep. Kerr**

LR 2231    An Act to Require the Public Utilities Commission  
            to Include all Costs in its Proposals

**SPONSOR: Rep. Kontos**

LR 2228    An Act to Establish the Public Advocacy Board and  
            to Transfer the Public Advocate to its Jurisdiction

**SPONSOR: Rep. Plowman**

LR 2229    An Act to Provide Work-study Jobs for Maine Students

**SPONSOR: Rep. Plowman**

LR 2234 An Act to Permit Municipal Government Oversight of the Budget Making Process for School Administrative Districts

**SPONSOR: Rep. Rydell**

LR 2245 An Act to Provide Choice through Managed Competition in the Maine State Employee Health Insurance Program

**SPONSOR: Sen. Summers**

LR 2072 An Act Concerning the Eligibility of Children of Disabled Veterans to Obtain Educational Benefits

**SPONSOR: Rep. Tardy**

LR 2230 An Act to Amend the Charter of the Plymouth Water District

**SPONSOR: Rep. Walker**

LR 2244 An Act Concerning the Distribution of Interest Earned on School Construction Projects

#### **JOINT RESOLUTION**

**SPONSOR: Rep. Michael**

LR 2243 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REVOKE THEIR CONGRESSIONAL PAY RAISES AND ROLLBACK SALARIES TO THE 1989 LEVELS AND REPEAL THE AUTOMATIC COST-OF-LIVING ALLOWANCE

#### **SENATE RESOLUTION**

**SPONSOR: Sen. Summers**

LR 2237 RESOLUTION, EXPRESSING THE SENSE OF THE SENATE OF MAINE THAT A BTU TAX OR OTHER BROAD-BASED ENERGY TAX OUGHT NOT TO BE ADOPTED BY THE FEDERAL GOVERNMENT

**TABLED BY THE LEGISLATIVE COUNCIL**

**SPONSOR: Rep. Bowers**

**TABLED  
03/02/93**

LR 2185 An Act to Encourage the Use of User Fees Regarding  
Municipal Solid Waste Disposal

**SPONSOR: Rep. Coffman**

**TABLED  
02/02/93**

LR 2117 An Act to Freeze Tuition Rates for all In-State  
University of Maine System Students

**SPONSOR: Rep. Fitzpatrick**

**TABLED  
03/02/93**

LR 2194 An Act to Prevent Criminalization and to  
Promote Jail Diversion

**SPONSOR: Rep. Gray**

**TABLED  
01/07/93**

LR 2104 An Act to Abolish the Workers' Compensation  
System

**SPONSOR: Rep. Joy**

**TABLED  
03/02/93**

LR 2210 An Act to Authorize the Display of Prisoners of War  
Missing-in-Action Flags on Legal Public Holidays

**SPONSOR: Rep. Larrivee**

**TABLED  
03/02/93**

LR 2196 An Act to Create a Sales Tax Exemption for  
Eye Banks

**SPONSOR: Rep. Martin, John L.**

**TABLED  
03/02/93**

LR 2213 An Act Relating to Private Property Rights

**SPONSOR: Sen. McCormick**

**TABLED  
03/02/93**

LR 2200 An Act to Encourage Economic Recovery in the Construction  
Industry

**SPONSOR: Rep. Mitchell, James**

**TABLED  
03/02/93**

LR 2209 An Act to Authorize a Referendum Vote for Approval  
of a Contract for Disposal of Low-level Radioactive  
Waste Generated in this State

**SPONSOR: Sen. Paradis, Judy**

**TABLED  
03/02/93**

**LR 2217 An Act to Provide Savings for the State While Providing  
Services for the State's Long-term Care Consumers**

**SPONSOR: Rep. Skoglund**

**TABLED  
03/02/93**

**LR 2223 An Act to Expand the Authority of Property Managers**

**SPONSOR: Sen. Summers**

**TABLED  
03/02/93**

**LR 2192 An Act to Maintain the Water Level of the Saco River  
at 1991 Levels**

**SPONSOR: Rep. Swazey**

**TABLED  
03/02/93**

**LR 2186 An Act Concerning Removals of Valid Concealed  
Weapons Permits**

**SPONSOR: Sen. Titcomb**

**TABLED  
02/02/93**

**LR 2125 An Act to Require Labeling on Genetically Engineered  
Food**

#### **JOINT RESOLUTIONS**

**SPONSOR: Sen. Bustin**

**TABLED  
03/02/93**

**LR 2211 JOINT RESOLUTION MEMORIALIZING THE PRESIDENT AND  
CONGRESS TO TRANSFER A PORTION OF INCREASED REVENUES  
FROM CIGARETTE, ALCOHOL OR MOTOR FUEL EXCISES TO THE  
STATES**

**SPONSOR: Rep. Martin, John L.**

**TABLED  
01/07/93**

**LR 1686 JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO ESTABLISH A NATIONAL VETERANS CEMETERY**

**SPONSOR: Rep. Michaud**

**TABLED  
01/07/93**

**LR 1552    JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE  
UNITED STATES TO REAFFIRM AND IMPROVE OUR NATION'S  
EFFORTS TO PROTECT AND RESTORE THREATENED AND ENDANGERED  
SPECIES**

**Cosponsors: Sen. Pearson  
Rep. Adams**

**SPONSOR: Rep. Simoneau**

**TABLED  
01/07/93**

**LR 0960    JOINT RESOLUTION MEMORIALIZING CONGRESS ALLOWING  
STATES TO SET THEIR OWN TAX POLICIES FOR CREDIT UNIONS**

**SPONSOR: Sen. Titcomb**

**TABLED  
01/07/93**

**LR 2073    JOINT RESOLUTION MEMORIALIZING CONGRESS TO CREATE A  
NATIONAL CHILD SAFETY AWARENESS WEEK**

**ADDENDUM**

**LEGISLATIVE COUNCIL  
REQUESTS TO INTRODUCE LEGISLATION  
FIRST REGULAR SESSION  
March 15, 1993**

**Action**

**SPONSOR: Rep. Gwadosky**

LR 2248    An Act to Establish the Maine Street Revitalization  
            Program

**SPONSOR: Rep. Kerr**

LR 1993    An Act Regarding Notaries Public

**SPONSOR: Sen. Titcomb**

LR 2247    An Act to Clarify the Role and Purpose of the Maine  
            State Retirement System

**SPONSOR: Rep. Vigue**

LR 2246    An Act to Improve the Business Climate in the State  
            by Making Power Available at a Lower Rate