

MAINE STATE LEGISLATURE

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



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
EDUCATION**

JULY 1989

MEMBERS

Sen. Stephen C. Estes *
Sen. Stephen M. Bost
Sen. Barbara A. Gill

Rep. Nathaniel J. Crowley, Sr. *
Rep. James R. Handy
Rep. William B. O'Gara
Rep. Marge L. Kilkelly
Rep. Judy Paradis
Rep. James V. Oliver
Rep. John O'Dea
Rep. Mary E. Small
Rep. Omar P. Norton
Rep. Wendy L. Ault

* Denotes Chair

Staff: David C. Elliott, Legislative Analyst
Deborah C. Friedman, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
GODD R. BURROWES
MICHAEL FLATEBO
JEBORAH C. FRIEDMAN
JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
HAVEN WHITESIDE
CAROLYN J. CHICK, RES. ASST
ROBERT W. DUNN, RES. ASST
HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)

HOLT
HANDY
KILKELLY
BURKE

COMMITTEE REPORT

LV/WD

AMENDMENTS ADOPTED

SUMMARY

Maine's compulsory attendance law (20-A MRS §5001-A) requires children between the ages of 7 and 17 to attend public day school, unless they meet one of the exceptions or pursue one of the alternatives set forth in the law. Current law excuses children from attending public day school if they receive "equivalent instruction in a private school or in any other manner arranged for by the school board and if the equivalent instruction is approved by the commissioner". Home instruction is one of the options for equivalent instruction and must be approved by the local school board and the commissioner. If the local board denies the application, a person may appeal to the Commissioner.

The bill would have amended the approval process for equivalent instruction other than that received in a private school, to require that instruction be approved by the local board OR the commissioner. The bill also would delete the appeal process, since local denial would not prevent a person from obtaining approval on the state level.

The committee reviewed an amendment that would have required only approval by the commissioner, but would require local review of the application, for the purpose of encouraging local involvement and assistance to children in home schools. The committee set aside consideration of the amendment, however, knowing that another bill was to be introduced later in the session addressing the issue of approval of home schools. LD 108 was given leave to withdraw as the committee bill deadline approached, but the concepts of the amendment to LD 108 are contained in LD 1317, which the committee approved. See LD 1317.

**LD 115 An Act to Provide for State Payment of Excessive Costs of
Out-of-district Special Education Placements (Reported
Pursuant to Public Laws of 1987, Chapter 848)**

LV/WD

SPONSOR(S)

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

This bill is a recommendation of the Special Commission to Study School Funding and State Tax Law. The bill would have allowed school units to add the excessive costs of out-of-district special education placements to the unit's program allocation in the current year. Excessive costs are those which exceed 3 times the secondary per pupil operating rate. Costs below that level would be treated as other special education costs and added to the formula on a 2-year old cost basis. See LD 729.