

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
EDUCATION

JULY 1989

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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
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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
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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.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
RYDELL	OTP-AM MAJ	H-443 MAJ REP
STEVENS P	OTP-AM MIN	H-471 CROWLEY
MCGOWAN		
ESTES		

SUMMARY

The bill requires each local school board to adopt a written policy setting forth the rights and responsibilities of students with respect to students' rights of free speech and freedom from unreasonable searches, and other rights and responsibilities as deemed appropriate by the board, and to distribute the policies in written form to all students. The policies would be developed in consultation with teachers, students, school personnel, parents and guardians, and must include certain rights set forth in the bill regarding free speech and freedom from unreasonable searches.

The majority committee report (H-443) requires written policies, but does not specify the rights of free speech and freedom from unreasonable searches as in the bill. The amendment also requires school boards to review the policies biannually and to amend them if appropriate.

The minority report (H-444) requires written policies and requires that the rights set forth in the policies include at least those rights guaranteed by the Maine and United States Constitutions, as interpreted by the highest state and federal courts, and requires biannual review of the policies.

The House Amendment to the majority report (H-471) removes reference to specific rights and responsibilities to be addressed in the written policies and limits the requirement for policies to junior high, middle school and high school students.

LD 1168 An Act to Provide Adjustments in the Educational Funding
Formula

**CARRIED OVER
APP/FIN COMM**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
ROLDE	OTP-AM	H-437
ESTES		
PERKINS		
SMALL		

SUMMARY

LD 1168 would make several changes in the School Finance Act of 1985. The bill requires full state funding of all new education mandates for the duration of the mandate; permits school units which receive tuition students to be paid their full cost for educating those students, with the sending unit paying up to the state average per student cost and the State paying any amount by which the receiving unit's per student cost exceeds the state average; adds a low-income student index requiring school units to count each student qualified for a free or reduced school lunch as slightly more than one student; raises the per pupil reimbursement level by adding a second year of inflation adjustments to the current cost computation; and brings special education reimbursement up to current costs. The bill also limits the amount a school unit must pay for special education out-of-district placements by requiring the State to pay any amount that exceeds the foundation per pupil operating rate; requires the use of 1987 state valuation figures in calculating state subsidy for 1989-90; provides a different method of reducing the state subsidy of a unit that receives federal impact aid; and increases the current 5% minimum subsidy to 15%.

The committee amendment (H-437) retains 2 proposals from the bill and amends 2 others. The amendment retains the proposal that the State pay for all new education mandates for the duration of the mandate, and the proposal to update special education costs to current costs.

The amendment provides for a low-income student adjustment to be paid outside the finance formula. The bill would have provided a weighted student count within the formula. Providing the funds as an adjustment means that the amount received by a unit is not dependent on its state share percentage. The amendment also repeals the section of statute authorizing the state to reduce state subsidy to a unit that receives federal impact aid. The bill would have changed the method of reduction.

LD 1168 was carried over by the Appropriations Committee. The provision requiring state funding for all new education mandates was included by the Taxation Committee in LD 1088.

**LD 1169 An Act to Provide Comprehensive, Consolidated Student
Financial Assistance Services**

**PUBLIC 559
EMERGENCY**

SPONSOR(S)

MARTIN J
SMALL
GILL
PEARSON

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-694

SUMMARY

The purpose of this bill was to improve the delivery of higher education finance services in Maine by consolidating various student aid programs under one administrative unit. The original bill would have established the Maine Education Authority (MEA) to administer the Maine Student Incentive Scholarship Program, Blaine House Scholars and Financial Assistance Program, State Osteopathic Loan Fund Program, Postgraduate Medical Education Program, Stafford Loan Program, Robert C. Byrd Honors Scholarship Program, Paul Douglas Teacher Scholarship Program, Maine Educators' Advanced Degree Program, Maine Educational Loan Authority (MELA) program, Student Educational Enhancement Deposit (SEED) plan, financial aid and career counseling program. The original bill also increased funding to the Maine Student Incentives Scholarship Program and contained language necessary for the establishment of a supplemental loan program under MELA for students with unmet needs. The membership of the MEA would have consisted of the persons who were formerly members of MELA with the addition of the Commissioner of Educational and Cultural Services. Provisions were included for the transfer of employees from the Division of Higher Education to MEA.

Committee amendment "A" (original majority report) replaced the original bill. This amendment would have retained all current state-administered student financial aid programs in the Division of Higher Education, except the SEED plan and the MELA program which would have continued under their present boards. This amendment also maintained the new supplemental loan program, the increased funds for the MSISP and made several necessary changes in the MSISP statute - clarifying definitions, eligibility, determination of need and distribution of scholarship provisions. The amendment also provided for an organizational audit by an independent consultant of the provision of higher education financial aid services by the Department of Educational and Cultural Services. The consultant would have presented a report to the Legislature on the management and operation of the department, including recommendations on the appropriate organizational governance structure for the provision of financial aid services to students and families in the state. The report would have been due by March 1, 1990, with an interim report in January.

Committee amendment "B" (original minority report) retained the intent and much of the language of the original bill to establish the MEA. This amendment would have: provided health and dental insurance