

# 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  
WILBERT W. BREWER  
RODD R. BURROWES  
MIRO 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.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL CLARK N REED HANDY	OTP-AM	S-230

SUMMARY

Under current law, the state Board of Education must approve school construction projects twice: at the "concept" level and, following a successful local referendum, at the final or funding level. The bill would require only one state board approval, at the "design development" level. This is also the level at which a local referendum would be held. Under current law, the local unit pays the development costs of the project until it is approved by the board, and the local unit bears the risk of a project failing to be approved; under the bill, the state would share costs with the local unit if the project is not approved by the board or by referendum. A nonlapsing account would be created to provide state funding.

The committee amendment (S-230) makes technical changes to the bill and resolves a conflict with federal law, created by the bill's requirement to place interest earned on the investment of unused bond proceeds into the nonlapsing fund. Federal tax law may require that interest to be rebated to the federal government.

The bill was carried over on the unassigned table.

LD 1300 Resolve, to Request that the Board of Trustees of the University of Maine System Determine the Cost of Establishing a Training Program for Nurse Practitioners in Northern Maine (Reported Pursuant to Resolves 1987, Chapter 106)

RESOLVE 42

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
	OTP-AM	H-464

SUMMARY

This bill directs the Board of Trustees of the University of Maine System to conduct a study to determine the cost of establishing degree program for nurse practitioners. The Board shall report its findings, together with the proposed cost and location of the program, to the Legislature by February 1, 1990. This bill is the result of the Commission to Study the Status of Nursing Professions in Maine.

**LD 1302** An Act to Amend and Improve the Laws Relating to Education

PUBLIC 414

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GILL ESTES HANDY REED	OTP-AM	S-292

SUMMARY

This is the Department of Educational and Cultural Services omnibus corrections bill. The Statement of Fact explains each section. Most of the provisions of this bill were in last year's or the previous

year's departmental bill. Neither of those was enacted, but they were both carefully reviewed and approved by the committee.

The committee amendment amends current law to prohibit possession of all firearms on school grounds and extends eligibility for the Blaine House Scholars Program to Maine residents who graduate from out-of-state high schools.

LD 1317     **An Act to Change the Method of Approving Equivalent  
Instruction in Home Schools**

**PUBLIC 537  
EMERGENCY**

SPONSOR(S)

KILKELLY  
BURKE  
HANDY  
BRAWN

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-544  
H-636   HANDY

SUMMARY

The bill and the committee amendment (H-544) relate to the method of approving or recognizing "equivalent instruction" which is offered in programs other than public schools, such as home schools. A program must be approved or recognized by the State so that a student attending the program will be in compliance with the compulsory attendance law.

Under current law, a home school must be approved by the local school board and by the State. A "nonapproved private school" must submit a letter to the department of education certifying that it meets standards set by the Department in the "Guidelines for Equivalent Instruction in Nonapproved Private Schools." Under state rules, a private school differs from a home instruction program by the fact that the private school has two or more unrelated students.

The bill would have placed the "Guidelines for Equivalent Instruction in Nonapproved Private Schools" into statute and made them applicable to approval of home instruction programs. The committee amendment deleted this language and replaces it with a provision changing the method of approval for home schools only. Home schools would be approved by the Commissioner of Educational and Cultural Services and would not be required to obtain approval of local school boards. A copy of the approval application would be sent to local boards for review. The purpose of local review would be to facilitate communication and cooperation between the local schools and children in home schools. Local approval of the application, however, is not required. Local boards must submit comments to the commissioner regarding the completeness of the application, under state rules. The commissioner then decides whether to approve the application. If the commissioner denies the application, the applicant may amend and resubmit the application to the commissioner.

The House amendment (H-636) recognizes current DECS practice of recognizing a student's attendance at a "nonapproved private school" that meets certain standards. The amendment adds attendance at a "private school recognized by the Department as providing equivalent instruction" to the list of equivalent instruction alternatives in statute.