

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
EDUCATION**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**LD 252      An Act to Change the Minimum Reimbursement for Education to the Unorganized Territories      ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ANDERSON PEARSON COLLINS	ONTP	

**SUMMARY**

This bill would have included the unorganized territory in the minimum state allocation under the school funding formula.

**LD 258      An Act to Provide for a Student Member of the Board of Trustees of the Maine Technical College System      PUBLIC 20  
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HANDY O'DEA OLIVER MCCORMICK	OTP-AM	H-35

**SUMMARY**

The original bill provided for a student member of the Board of Trustees of the Maine Technical College System with full voting rights. The bill also made a technical correction to the number of ex officio members presently on the board.

Committee Amendment "A" (H-35) made several changes to the original bill, including addition of an emergency preamble, transition language and an emergency clause to permit immediate selection of the first student trustee; reduced the student trustee term of office from 4 years to 2 years; added a provision requiring that nominations be submitted to the President of the Maine Technical College System for transmittal to the Governor by January 1st of every 2nd year; added a provision covering the transfer of a student trustee from one campus to another during the student's term of office and added a fiscal note.

**LD 283      An Act to Provide Due Process in Employment Decisions Affecting Public School Principals      PUBLIC 556**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
NORTON LUDWIG MURPHY MORRISON	OTP-AM	H-108

**SUMMARY**

This bill establishes in statute for the first time a process for hiring, firing during the term of a contract and not renewing the contract of school principals. The process established in the original bill is designed to provide basic due process protection to principals in employment actions and is patterned closely after the process currently in statute governing teacher employment.

The amendment replaces the original bill and establishes an initial hiring process for principals consisting of nomination by the superintendent and approval by the school board. It requires that a principal's employment contract be in writing and for a term not to exceed 3 years. The amendment further requires the school board to notify an experienced principal by March 1st and a first or 2nd year

principal by April 1st in the year in which the principal's employment contract expires whether or not the contract will be renewed. Failure to notify the principal results in a forfeiture payment by the school unit to a principal. If a principal is notified of the intent not to renew the contract, the principal may request a hearing before the school board on that decision. The amendment also provides that a principal may be dismissed by the school board during the term of a contract for cause or when local conditions warrant elimination of the principal's position.

**LD 286      An Act to Enhance the Effectiveness of the Quality Incentive      ONTP**  
**Adjustment Allocation**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
REED G	ONTP	

**SUMMARY**

The quality incentive adjustment allocation provision of the School Finance Act of 1985 was implemented for the purpose of encouraging local units to provide quality programs for their students. The determination of eligibility is based on the unit's per pupil operating costs exceeding the foundation per pupil operating rate by a fixed percentage. This bill would have altered the method of calculating the quality incentive adjustment under the school funding formula by removing the requirement that 1/2 of the difference between a unit's base year operating cost and the operating allocation in the year of allocation be multiplied by the unit's state share percentage.

**LD 291      An Act to Amend the Student Incentive Scholarship Program      PUBLIC 582**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
GOODRIDGE HANDY ESTES	OTP-AM	H-53

**SUMMARY**

For purposes of the Student Incentive Scholarship Program, this bill changed the definition of "institution of higher education" to include any institution of higher education in any state in the United States. It permitted eligible postsecondary education students from this State to participate in the student incentive scholarship program at an eligible institution in any other state in the country.

Committee Amendment "A" (H-53) restored the provision of current law, removed by the original bill, that restricted eligibility to institutions of higher learning in those states with which this State has a reciprocal agreement, extended eligibility to those states that permit portability and defined "portability."

**LD 306      An Act to Increase the Minimum Age to Enter School      LV/WD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
AULT	LV/WD	

**SUMMARY**

This bill would have raised the school entrance age by 4 1/2 months—requiring a child to be 5 by May 31 in order to enter kindergarten in the following September. Corresponding increases in the minimum entrance age were proposed for entrance to a 2-year early childhood public school program and to the 1st grade.