

# 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 793 An Act to Improve Special Education Services to State Wards****ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTES	ONTP	
BOST		
CROWLEY		
AULT		

**SUMMARY**

Under current law, local school districts are responsible for conducting evaluations of state wards, while the State pays for any special education services that are provided pursuant to the evaluation. Local school districts are occasionally unable to provide adequate and timely evaluations of state wards (e.g. for transient and homeless students). This bill would have required the Commissioner of Education to convene a pupil evaluation team for a state ward when requested to do so by the Department of Human Services.

**LD 799 An Act to Permit Students to Take Tests for Credit for Certain Classes****INDEF PP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
AULT	OTP-AM MAJ	H-115 MAJ REP
MCCORMICK	ONTP MIN	

**SUMMARY**

This bill authorizes school administrative units to use locally developed tests to permit students to take tests for credit for school courses. The tests must be designed to require demonstration of mastery over the courses' subject matter. A student who passes the test for a course must be granted academic credit and excused from the attendance and other requirements of that course. The test would be available to any student who has not yet taken the course, who has failed the course, or who would otherwise take the course as part of a summer or other remedial program.

The Committee Amendment (H-115) clarifies that the testing-out option applies to any school course and that the decision on whether credit is to be granted is up to school officials. The amendment also corrects a reference to secondary school students and adds a fiscal note.

**LD 801 An Act to Amend the School Approval Standards****PUBLIC 181**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
NORTON	OTP-AM	
LUDWIG		
AULT		
DAGGETT		

**SUMMARY**

This bill requires public school buildings to be ventilated according to standards established by the American Society of Heating, Refrigeration and Air Conditioning Engineers, Inc. as defined in ASHRAE Standards 62-1989, Ventilation for Acceptable Indoor Air Quality.

The amendment addresses air quality in existing schools by requiring school officials to operate and maintain currently installed mechanically driven heating, ventilation and air-conditioning systems in accordance with building standard codes on air quality in existence when the school was built or the

system installed. School units are also required to inspect and, if necessary, repair air quality systems annually and to make their records regarding inspection and repair available to the public. The amendment also corrects an incorrect reference to ASHRAE standards in the original bill.

**LD 803      An Act to Amend the Laws Relating to Funding of Education      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
HEINO KERR BRAWN ANTHONY	ONTP	

**SUMMARY**

This bill would have amended the education funding formula to require that the personal income and cost of living within a school administrative unit be taken into consideration in determining the ability of the unit to fund education.

**LD 815      An Act Pertaining to School Budgets      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BRAWN HANLEY	ONTP	

**SUMMARY**

This bill would have required that if the total budget article fails to receive a majority vote at referendum, the board of directors must consider the prior year's budget to be the approved budget for the next school year.

**LD 824      An Act to Require Voter Approval for Disposal of School Property      PUBLIC 119**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
GRAY CROWLEY SKOGLUND	OTP-AM	H-114

**SUMMARY**

The original bill limited the sale by a school administrative unit of any real property or personal property valued at more than \$5,000 without authorization by the voters. In units where 2 or more municipalities help fund education, a majority of voters in each municipality must approve the sale.

Committee Amendment "A" (H-114) replaced the original bill and required a school board to establish a policy for disposing of personal school property valued at \$5,000 or more and required the school board to notify member municipalities of the planned sale.