

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:

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

The bill also required that speed limits within property owned by or under the control of the University of Maine System be established by the Department of Transportation and the Maine State Police. The University of Maine System was required to post the speed limits under the direction or policies of the Department of Transportation.

Committee Amendment "A" (S-80) added an emergency preamble and an emergency clause to the original bill. It also added a provision requiring the Board of Trustees of the University of Maine System to hear citizen input at each board meeting and guaranteed that each citizen may address the board for a period of time established by the board.

LD 882 An Act to Amend the Laws Concerning Certification of Educational Personnel UNSIGNED

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTES	OTP-AM	S-253
CROWLEY		S-431 BRANNIGAN
NORTON		
CAHILL M		

SUMMARY

The bill provided for professional certification of experienced out-of-state teachers, permitted professionally certified teachers to teach one period per day out of their certified subject area or grade level and established a specific timetable during which appeals from certification denials or revocations must be heard and decided.

The Committee Amendment (S-253) clarifies the circumstances in which an out-of-state teacher will be granted professional certification. The amendment deletes the provisions of the bill governing out-of-field teaching and the appeals process and directs the Department of Education and the State Board of Education to study those issues and to report back to the Joint Standing Committee on Education with recommendations. The amendment also adds new provisions to the bill abolishing the use of minimum qualifying test scores to prevent applicants from attaining provisional certification. Block grants for teacher certification costs incurred at the local level are redirected from municipalities to school administrative units in the amendment. Finally, the amendment makes technical changes in the bill, adds an emergency preamble and emergency clause and adds an appropriation section and a fiscal note.

The Senate Amendment (S-431) made a technical addition to the Committee Amendment to allow the block grant to go directly to school units.

LD 886 An Act to Establish a Budget Authority within School Administrative Districts ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CAHILL P	ONTP	

SUMMARY

This bill would have authorized the creation of district budget authorities to assist the board of directors of a school administrative district in formulating the district's budget. Before July 1, 1992 the municipalities comprising each school administrative district would vote on whether or not to form a district budget authority. If a majority of voters in the district approved formation, the district budget authority would be created consisting of 11 members elected proportionally from the district's municipalities based on the number of students from each municipality attending school in the district. Members would have served 2-year terms.

District budget authorities would have monitored the development of the district budget and made changes in the proposed budget before it was submitted to district voters for approval.

LD 888 An Act Concerning Home Schooling

ONTP

SPONSOR(S)
PINES

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have directed the Department of Education to establish a home instruction equivalency monitoring program. The department was directed to conduct monthly inspections of home schooling sites; assure that adequate academic instruction is provided through home schooling; provide technical assistance to home school instructors; determine whether home school instruction programs should be continued; and hire consultants or other personnel to carry out the program. To fund the program of home instruction equivalency monitoring, the department was authorized to retain up to \$1,000 of the state educational aid due to a school administrative unit for each student in the unit who is participating in approved home instruction.

LD 904 An Act Regarding Eligibility for Participation in Extracurricular Activities

ONTP

SPONSOR(S)
MAHANY
MCCORMICK
HANDY
KILKELLY

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

Most secondary schools determine eligibility for interscholastic sports under rules promulgated by the Maine Secondary School Principals Association, a private association that is organized, among other things, to promote and regulate interscholastic sports in Maine. Those rules include the "eight semester rule" which provides that a student is only eligible to participate in interscholastic sports for 8 consecutive semesters following the date on which the student begins high school. As a result of this rule, a student who transfers to public school from a home school program may become ineligible for sports as a result of spending 4 years in a home school after a certain age, even though the school may determine that the student is a sophomore or junior for academic purposes.

This bill would have prohibited schools from subtracting from the period of eligibility a number of semesters greater than the number of semesters of academic credit the student receives for attending a home school.