

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
EDUCATION AND CULTURAL AFFAIRS**

**JULY 1997**

***MEMBERS:***

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***Sen. Mary R. Cathcart***

***Sen. Mary E. Small***

***Rep. Shirley K. Richard, Chair***

***Rep. Michael F. Brennan***

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i> .....	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

LD 1399 proposed to allow a person who will be at least five years old by December 15th of the school year to enroll in kindergarten after a determination by the school administrative unit that the person is ready for kindergarten.

**Committee Amendment "A" (H-562)**, the minority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to change the bill in the following ways:

1. It would amend the title to reflect more accurately the intent of the statutory provision;
2. It would allow a person who will be at least five years of age by November 15th of the school year to enroll in kindergarten after determination by the school administrative unit that the person is ready for kindergarten if a parent or guardian of a person makes a written request to the school administrative unit;
3. It would clarify that the initial assessment of the child's readiness for kindergarten must be made through the use of the school's current screening mechanism and that this assessment is final; and
4. It would add a fiscal note to the bill.

**LD 1404**                      **An Act to Create School Enrichment Funds for Public Schools**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON NUTTING	ONTP	

LD 1404 proposed to establish a voluntary checkoff for school enrichment funding contributions on local property tax bills. The money raised through voluntary contributions would be transferred to the local school board to establish a School Enrichment Fund that is used to fund predetermined academically oriented programs and activities. Under this bill, school boards are involved in determining what programs and activities will be funded and targeting amounts to be raised by the voluntary checkoff. The bill further proposed that a School Enrichment Fund may not be used to replace or supplant other nonvoluntary sources of funding.

**LD 1410**                      **Resolve, to Establish Additional Funding for the University of Maine System**                      **RESOLVE 70**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON SMALL	OTP-AM    MAJ ONTP        MIN	H-590 S-362    MICHAUD

LD 1410 proposed to repeal the authority of the Board of Trustees of the University of Maine System to determine the amount of annual General Fund appropriations that are allocated to each campus and would establish an enrollment-based funding formula that provides for a more equitable funding base for students enrolled at each campus of the university. To accomplish this, the bill proposed to:

1. Require that a guaranteed percentage of the educational and general appropriation to the university be allocated to each campus based on a set amount of state funding per student;

2. Establish a procedure for determining the base allocation per student at each institution based on the number of students enrolled in each academic degree program level. Students enrolled in an undergraduate degree program or a master's, doctoral or law degree program receive a different level of base funding;
3. Establish a mechanism for funding the system-wide services office of the University of Maine System;
4. Establish an enrollment-based funding formula for the equitable distribution of public subsidies in support of campus facilities; and
5. Provide a mechanism to implement the enrollment-based funding formula over a transition period that begins in fiscal year 1998-99.

**Committee Amendment "A" (H-590)** proposed to replace the original bill and change it to a resolve. The amendment would direct the Board of Trustees of the University of Maine System and the Chancellor to review the current method of distributing state resources and to report to the Joint Standing Committee on Education and Cultural Affairs on a funding formula to be implemented in fiscal year 1999-2000. This amendment would also provide a General Fund appropriation of \$1,000,000 to provide additional support for students at the University of Maine System. Finally, this amendment adds a fiscal note.

**Senate Amendment "A" to Committee Amendment "A" (S-362)** proposed to reduce the amount appropriated to the University of Maine System from \$1,000,000 to \$250,000.

*Enacted law summary*

Resolve 1997, chapter 70 directs the Board of Trustees of the University of Maine System and the Chancellor to review the current method of distributing state resources and to report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 1998 on a funding formula to be implemented in fiscal year 1999-2000. This amendment also provides a General Fund appropriation of \$250,000 to provide additional support for students at the University of Maine System.

**LD 1415**                      **Resolve, Directing the Department of Education to Review Certain Procedures Regarding Special Education**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON P	ONTP	

LD 1415 proposed to direct the Department of Education to review the process for determining whether a child is entitled to receive special education services and the process used by the department to investigate a complaint that a school administrative unit is not providing adequate special education services, including how the department brings the school unit into compliance after a finding of inadequacy. The department is directed to report its findings, and any necessary implementing legislation, to the Joint Standing Committee on Education by December 1, 1997.