

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

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

JULY 1999

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

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

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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).

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:

CARRIED OVER..... *Bill carried over to Second Regular Session*
CON RES XXX..... *Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES..... *House & Senate disagree; bill died*
DIED IN CONCURRENCE..... *One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT..... *Action incomplete when session ended; bill died*
EMERGENCY..... *Enacted law takes effect sooner than 90 days*
ENACTMENT FAILED..... *Bill failed to get vote required for enactment or final passage*
NOT PROPERLY BEFORE THE BODY..... *Ruled out of order by the presiding officers; bill died*
INDEF PP..... *Bill Indefinitely Postponed*
ONTP..... *Ought Not To Pass report accepted*
OTP ND..... *Committee report Ought To Pass In New Draft*
OTP ND/NT..... *Committee report Ought To Pass In New Draft/New Title*
P&S XXX..... *Chapter # of enacted Private & Special Law*
PUBLIC XXX..... *Chapter # of enacted Public Law*
RESOLVE XXX..... *Chapter # of finally passed Resolve*
UNSIGNED..... *Bill held by Governor*
VETO SUSTAINED..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

LD 1561 proposes that all students in grade 12 be required to earn a certificate of mastery based on the State's learning results standards before graduating. The bill proposes that testing of students begin in the 2005-06 school year. The bill was carried over to the Second Regular Session.

LD 1558 **Resolve, to Provide Incentives for School Breakfast Programs in Maine Public Schools** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART ROWE		

LD 1558 was referred to the Appropriations and Financial Affairs Committee and proposed to establish a one-time grant program administered by the Department of Education to encourage schools that have a high percentage of their student body who are eligible for free or reduced-price school meals to establish school breakfast programs. While this bill was ultimately indefinitely postponed, the substance of this bill, including a one-time General fund appropriation of \$240,000 in fiscal year 1999-00, was included in the Part II Budget bill (see P.L. 1999, c. 401, Part KK).

LD 1568 **An Act to Require Parenting Skills to be Taught as Part of the High School Course of Instruction** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS LONGLEY	ONTP	

LD 1568 proposed to amend current high school course requirements in health, safety and physical education by requiring teaching of parenting skills.

LD 1609 **An Act to Create Greater Equity in Representation Among Municipalities Belonging to School Administrative Districts and Ensure That All School Referendum Votes Are Preceded by a Public Hearing** **ONTP**

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

LD 1609 proposed to establish a limit on any method of apportioning voting strength among the municipalities represented on a board of directors for a school administrative district so that a municipality may not control more than 50% of the vote of a board of directors. LD 1609 also proposed applying the public hearing requirement that pertains to municipal referenda to school administrative district referenda as well.

LD 1621 **An Act to Assist Maine Students** **ONTP**

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

LD 1621 proposed to amend the laws governing incentive scholarships by permitting a student to receive a scholarship if the student meets the satisfactory academic progress policy of the institution that the student attends rather than limiting the award of a scholarship to a period of eight semesters. This proposed change would have been consistent with recent changes in federal law.

LD 1627

An Act to Ensure Equity in School Funding

ONTP

Sponsor(s)
NUTTING J
RICHARD

Committee Report
ONTP

Amendments Adopted

LD 1627 proposed to repeal the School Finance Act of 1985 and the School Finance Act of 1995 and to replace these laws with a new school funding formula that would be effective for the fiscal year that begins July 1, 2000. This bill proposed to divide General Purpose Aid to Local Schools into its four component parts: operating costs; program costs; debt service; and direct state costs, formerly called "adjustments." The bill also proposed to require that all four components receive separate appropriations that are no longer interdependent. In each case there would be a default appropriation to take effect if the Legislature fails to appropriate new funds prior to March 31st of each year.

Under this bill, the income and cost-of-living factors would no longer be included. Operating, program and debt service subsidies would all be proportional to a school administrative unit's fiscal capacity. The need for percentage reduction would be eliminated. The first dollars available would go to the poorest school units. Program or debt service costs that would exceed a circuit breaker amount would be fully subsidizable. Circuit breaker levels would not be fixed but would float with the level of the annual appropriation.

This bill proposed to calculate the operating cost subsidy for each school administrative unit as follows:

1. The foundation per pupil operating rate would equal the statewide base year operating costs divided by the State's average pupil count;
2. A unit's subsidizable operating costs would equal the foundation per pupil operating rate times the average pupil count for the unit; and
3. The local share of operating costs would equal the operating cost mill rate times the fiscal capacity of the unit.

The "operating cost mill rate" would be a calculated figure that floats to meet the State's annual appropriation.

The state subsidy would be equal to the unit's subsidizable operating costs less the local share, but could not be less than 5% of the unit's costs.

A unit that fails to raise its local share of operating costs would lose a portion of its subsidy equal to what it fails to provide. Such a reduction would not be necessary for program and debt service subsidies because they would continue to be calculated on the basis of the unit's own approved expenditures.

Pupil count averaging would be extended over three separate dates, rather than two as provided in present law. Thus, changes in pupil counts would have a more gradual impact on subsidy changes.

The bill also proposed a contingency cushion for districts that depend on state subsidies to fund 30% or more of their base year operating costs. The cushion would hold these needier units to a 5% loss if their combined losses in operating and program costs, incurred for any reason, exceed 5% from one fiscal year to the next. The cushion would protect against sudden changes in either or both of the two major variables that impact the formula: valuation and pupil count.