

Guest Column

Repeal Preferred, But at the Least, Significantly Amend New School Law

State Sen. Kevin Raye (R-Perry) testified before the Legislature's Education and Cultural Affairs Committee on January 4 as the committee heard from legislators who have concerns about the school district consolidation law enacted last year. Raye represents Senate District 29, which includes all of Washington County and parts of eastern Hancock and Penobscot counties. A member of the Legislature's Rural Caucus, Raye was a leading opponent of the controversial law championed by Governor Baldacci and is a supporter of the citizen petition effort aimed at repealing it. The following is the text of Raye's statement to the Education Committee:

BY SEN. KEVIN RAYE

It is no secret that I am an opponent of the school district consolidation law that was enacted last year. When it was being crafted, I worked to try to make it less onerous—particularly with respect to its provisions taking away local governance, imposing unreasonable student population requirements that would result in enormous geographic districts in some rural areas, and penalties that I believed to be unacceptably harsh.

Unfortunately, the final product failed to resolve those problems so I could not support it.

Now that it is the law of the land, we have had an opportunity to witness community leaders across the state as they have been engaged in the process of trying to comply with it.

And as that process is unfolding, the fears that many of us harbored are coming to pass. Despite the assurances Commissioner Gendron had offered about the wording in the law, we are seeing her reject plans that entrust local school boards with actual authority. We are seeing huge and unworkable geographic districts in some rural areas. And we have communities engaged in the process only because there is a proverbial gun to their heads with respect to punitive penalties.

In my part of Maine, we are seeing a great deal of dissatisfaction as regional planning committees work to comply with the law, but find the process of enforced consolidation and its inevitable outcome repugnant. They recognize very clearly that the goal of the law was not savings because, if it was, they would simply be facing budget reductions. Rather, they have come to recognize the law is really about taking control away from the local level—with all that entails for small schools down the road.

As I have watched the process thus far, I remain convinced the law was a serious mistake. It is my hope that it will be repealed. At the very least, it is my hope that Representative Edgecomb's proposal, which mirrors the super union approach I advocated last year, will be approved so that school unions will be allowed as an alternative in those areas where the state's full frontal attack on local governance is unacceptable to the people.

But today, I am here primarily to add my voice to those who are laying out for you some of the myriad specific problems with the law. One such problem that shocked my constituents, and which I had sought to correct through a legislative request I submitted to the Legislative Council, is that the new law eliminated the withdrawal process for municipalities that wish to leave one district to join another or go it alone.

The town of Steuben, for example, made it clear from the outset that, in choosing partners for this enforced consolidation, they wished to partner with other Washington County towns. But, when the other towns in their district moved in the direction of consolidating to the west with Hancock County towns, Steuben found they were powerless to determine their own destiny. The commissioner of education made it clear to Steuben that they could not withdraw from their current district in order to choose their own partner.

Fortunately, as the process has played out, Steuben's immediate crisis was resolved because the other towns in their district changed course and decided to partner to the east—with Washington County towns. But, had they continued in the direction they had initially been headed, Steuben would have literally been trapped in a district that they did not want to be in.

It is difficult for me to believe that any member of this committee or any member of the Legislature believes that would be an appropriate outcome for any municipality in this state, so I hope that any legislation you report out will include a restoration of the withdrawal process.