

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

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

July 2007

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PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
JILL IPPOLITI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Education and Cultural Affairs

LD 271 An Act To Permit Andover College To Issue Degrees under New Ownership

**P & S 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS ROTUNDO	OTP	

LD 271 authorizes Andover College to issue degrees under its new ownership.

Enacted Law Summary

Private and Special Law 2007, chapter 2 authorizes Andover College to issue degrees under its new ownership. This law was enacted as an emergency measure effective March 20, 2007.

LD 272 An Act To Create Charter Programs within Existing Schools

ONTP

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

LD 272 is a concept draft proposing to provide school boards with the authority to establish charter programs within existing schools in their own school administrative unit. The legislation would establish a pilot program that would permit up to 20 charter programs to be authorized during a 10-year period. The central purposes of establishing charter programs would be to expand learning opportunities for disengaged students who are underserved by the current educational system and to increase the likelihood that students will excel in a standards-based educational system.

LD 293 An Act To Address the Evaluations of Certain School Employees

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS	OTP-AM A OTP-AM B ONTP C	

This bill requires that a person paid to work in a school in a position that does not require certification or authorization but whose employment requires the approval of the Department of Education must receive an evaluation from the school administrative unit before the end of the first year of employment. The bill also provides that school boards must establish criteria and standards for job performance for those personnel and further provides that the evaluation of those personnel must use the criteria and standards of job performance established by school boards.

LD 317 An Act To Increase the Availability of Public Education Services from Child Development Services

PUBLIC 430

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW	OTP-AM	S-142

Joint Standing Committee on Education and Cultural Affairs

This bill expands the opportunity of preschool children with disabilities to continue to have free, appropriate public education provided through the Child Development Services System. This bill extends the window of eligibility by 2 months, allowing children who reach 5 years of age between July 1st and October 15th, instead of the current September 1st and October 15th, to continue with the Child Development Services System.

Committee Amendment "A" (S-142)

This amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2007, chapter 430 expands the opportunity of preschool children with disabilities to continue to have free, appropriate public education provided through the Child Development Services System. This law extends the window of eligibility by 2 months, allowing children who reach 5 years of age between July 1st and October 15th, instead of the current September 1st and October 15th, to continue with the Child Development Services System.

**LD 334 *Resolve, Regarding Legislative Review of Portions of Chapter 182:
Formula for Distribution of Funds to Child Development Services
Regional Sites***

**RESOLVE 47
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a major substantive rule of the Department of Education.

Enacted Law Summary

Resolve 2007, chapter 47 authorizes final adoption of portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a provisionally adopted major substantive rule of the Department of Education.

Resolves 2007, chapter 47 was enacted as an emergency measure effective June 4, 2007.

**LD 338 *An Act Regarding the Labor Market Adjustment for Teacher Salary
Costs under Essential Programs and Services Funding***

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

SHERMAN

ONTP

This bill establishes a labor market adjustment for fiscal year 2007-08 and each year thereafter to the regional adjustment for teacher salary costs set forth in the Maine Revised Statutes, Title 20-A, section 15682.

LD 343 *An Act Regarding School Transportation*

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

FINCH

ONTP

LD 343 requires that rules adopted by the Department of Education concerning seat belts or child safety seats for school buses are major substantive rules.