

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. PETER B. BOWMAN, CHAIR
SEN. ELIZABETH H. MITCHELL
SEN. PETER MILLS

REP. JACQUELINE R. NORTON, CHAIR
REP. EDWARD D. FINCH
REP. ELAINE MAKAS
REP. DAVID W. FARRINGTON
REP. CHARLES WILLIAM HARLOW
REP. PATRICIA B. SUTHERLAND
REP. PETER EDGECOMB
REP. HOWARD E. MCFADDEN
REP. ROBERTA M. MUSE
REP. MEREDITH N. STRANG BURGESS

STAFF:

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

3. The amendment of state laws and rules for financing the construction and renovation of school facilities to establish a regional school construction finance program that complements current state finance programs for the construction of new school facilities as established by Title 20-A, chapter 609 and for the renovation of existing school facilities as established by Title 30-A, section 6006-F;
4. The authorization for regional cooperative organizations to be eligible for state funding from the Fund for the Efficient Delivery of Educational Services established in Title 20-A, section 15754 for the provision of support services, classroom instruction when needed to provide an adequate curricular program and enrichment programs;
5. The creation of a model statewide school calendar that would be adopted at the local level and coordinated at the regional level;
6. The requirement that all school administrative districts and regional school districts be named. Existing numbers for school administrative districts should be replaced with names identifying the districts;
7. The authorization for the Department of Education to adopt or amend rules to establish educational standards for the approval of a school administrative unit that petitions to become a member of, or to withdraw from, a school district; and
8. The restoration of full funding for the Fund for the Efficient Delivery of Educational Services at an amount equivalent to 2% of the total amount appropriated for the General Purpose Aid for Local Schools program during the 2008-2009 biennium.

LD 465 An Act To Prohibit School Administrative Units from Advocating in Political Activity

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TURNER | ONTP | |

This bill prohibits members of a school board, superintendents and employees of a school administrative unit from engaging in political activity that is intended to influence a voter's opinion or that expressly advocates for or against any political candidate, referendum question or issue that is placed on the ballot for voters. The bill also provides a penalty for persons who violate this prohibition on political activity.

LD 468 An Act To Amend the Laws Governing Compulsory School Attendance

PUBLIC 143

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BOWMAN | OTP | S-63 |

LD 468 adds to the duties of the attendance coordinator serving as the liaison between the school and the local law enforcement agency in matters pertaining to student absenteeism.

Committee Amendment "A" (S-63)

This amendment adds a mandate preamble to the bill.

Enacted Law Summary

Public Law 2007, chapter 143 adds to the duties of the attendance coordinator serving as the liaison between the

Joint Standing Committee on Education and Cultural Affairs

school and the local law enforcement agency in matters pertaining to student absenteeism.

LD 470 An Act To Add Ten Days to the School Year ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLS P | ONTP | |

LD 470 extends the school year by 10 days starting in the school year beginning in 2007.

LD 481 Resolve, Directing the Department of Education To Review and Assess RESOLVE 11
Distance Learning Opportunities for High School Students

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FARRINGTON | OTP | |

This resolve directs the Department of Education to review and assess distance learning opportunities for public high school students and report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2008.

Enacted Law Summary

Resolve 2007, chapter 11 directs the Department of Education to review and assess distance learning opportunities for public high school students and report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2008.

LD 482 Resolve, To Conduct an Objective and Independent Review of Essential ONTP
Programs and Services

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PIEH | ONTP | |

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to require that an objective and independent review of the essential programs and services school funding formula be conducted by qualified researchers. In conducting the review, the researchers shall analyze whether the original intent of the essential programs and services design is being met, and whether the essential programs and services school funding formula is providing the necessary state aid to meet the actual cost of providing elementary, middle and secondary education programs, including special education, career and technical education, transportation, technology and extracurricular and cocurricular programs. The review will also include an assessment of the effect of the essential programs and services school funding formula on high-valuation communities and school districts. Finally, the review will include an assessment of the impact of recent laws enacting changes to the essential programs and services school funding formula and the phase-in of the percentage of the State's share of general purpose aid to local schools.