

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

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

May 2008

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

| | |
|---|--|
| <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 & 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>NOT PROPERLY BEFORE THE BODY</i> | <i>Ruled out of order by the presiding officers; bill died</i> |
| <i>INDEF PP</i> | <i>Bill Indefinitely Postponed; bill died</i> |
| <i>ONTP (or Accepted ONTP report)</i> | <i>Ought Not To Pass report accepted; bill died</i> |
| <i>P&S XXX</i> | <i>Chapter # of enacted Private & 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> |

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Education and Cultural Affairs

LD 1993 Resolve, Regarding Enhancement of Maine's Cultural Assets

RESOLVE 182

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MARTIN | OTP-AM | S-478 |

This resolve establishes the Commission To Review the Accountability of State Cultural Agencies and directs the commission to submit its report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by November 5, 2008.

Committee Amendment "A" (S-478)

This amendment replaces the resolve. It directs the Maine State Cultural Affairs Council to review its statutory charge and identify ways to strengthen the council's visibility, expand citizen participation and improve the delivery of services. The council is required to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 9, 2009.

Enacted Law Summary

Resolve 2007, chapter 182 directs the Maine State Cultural Affairs Council to review its statutory charge and identify ways to strengthen the council's visibility, expand citizen participation and improve the delivery of services. The council is required to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 9, 2009.

LD 1997 An Act To Fully Fund School Breakfast from Kindergarten to Grade 12

**DIED ON
ADJOURNMENT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL | OTP-AM | S-491 |

This bill requires public schools to provide all children who are eligible for free and reduced-price meals under the National School Lunch Program with a meal that meets the requirements of the federal School Breakfast Program at no cost to the student and requires the State to provide the funding for the costs of the program that are not reimbursed by the Federal Government. This bill includes an allocation from the Fund for a Healthy Maine for the costs to the State in fiscal year 2008-09 and adds the school breakfast program to the health-related initiatives that are eligible to receive funds from the Fund for a Healthy Maine.

Committee Amendment "A" (S-491)

This amendment clarifies that the State pays the cost of breakfast now paid by students eligible for a reduced-price breakfast for those schools that choose to provide breakfast. It also replaces the appropriations and allocations section to reflect the intent of the bill.

While this bill died on adjournment, the provisions of the bill as amended by this committee amendment, were enacted as Part III of Public Law 2007, chapter 539, the supplemental budget bill.