

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

Total Appropriations	\$7,384,958.00
Overlay	474.80
Available Credits:	
Estimated Revenue	\$1,608,451
Community Corrections	200,000
Transfer from Surplus	600,000
Total Available Credits	2,408,451.00
Amount to be Raised by Taxation	<u>\$4,976,981.80</u>

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 26, 1995.

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**CHAPTER 33**

**H.P. 651 - L.D. 874**

**Resolve, to Establish Tuition Policy for the Town of Dennysville and Edmunds Township**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

**Sec. 1. Establish the tuition rate for school year 1994-95. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 20-A, section 3304, the per student tuition charge for students from the Town of Dennysville attending the Edmunds School is limited to \$3,978 for the 1994-95 school year and is limited to an increase for the 1995-96 school year not to exceed 5% of the amount established in 1994-95; and be it further

**Sec. 2. Creation of pupil tuition study committee. Resolved:** That the Town of Dennysville and Edmunds Township shall form a study committee to review the provision of education services to elementary pupils attending the Edmunds School. The review must include, but is not limited to, reviewing pupil tuition policies, transferring ownership of the Edmunds School to the Town of Dennysville and consideration of Edmunds Township organizing as a town. The study committee shall report back to the joint standing committee of the Legislature having jurisdiction over education matters

by December 15, 1995. The committee may report out legislation concerning this matter to the Second Regular Session of the 117th Legislature.

See title page for effective date.

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**CHAPTER 34**

**H.P. 1053 - L.D. 1482**

**Resolve, Directing the Department of Education to Develop a Statewide Plan for a Skills Development Program for Teachers**

**Sec. 1. Statewide plan. Resolved:** That the Department of Education shall study and recommend a statewide plan for professional development in the field of education. The study must be presented to the Task Force on Learning Results, as established by Public Law 1993, chapter 290, and must be incorporated in the task force's 5-year plan for education. The statewide comprehensive plan must:

1. Focus on ensuring that all students will have opportunities to achieve expected learning results and performance standards, emanating from the work of the Task Force on Learning Results;
2. Focus on collaboration of professional development services from various agencies, institutions and organizations, such as the Department of Education, the University of Maine System, private sector consultancy groups and content area professional associations;
3. Incorporate the opportunity-to-learn standards to be developed by the Department of Education and the Task Force on Learning Results during 1995-1996;
4. Provide a focused approach to professional development for all school districts based on the following components for systemic school restructuring: student-centered learning; a shared vision; a climate supportive of people and change; connected curriculum, instruction and assessment; connected people, programs and resources; and technology in schools;
5. Encourage local school districts to develop, implement, monitor, evaluate and submit their own professional development plans of action based on the Department of Education's comprehensive plan and monitoring system. The new system improvement planning process must also be developed during 1995-1996;
6. Encourage regional collaboration for school systems to develop, share, implement and evaluate

their professional development needs, programs and resources; and

7. Consider the benefits of coordinating regional and statewide professional development calendars of events to ensure equitable opportunities for all school systems; and be it further

**Sec. 2. Report. Resolved:** That the Department of Education shall present its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the Task Force on Learning Results by January 15, 1996.

See title page for effective date.

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## CHAPTER 35

H.P. 1021 - L.D. 1436

### Resolve, to Preserve the Dairy Industry in the State

**Emergency preamble. Whereas,** Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** dairy farms provide a wholesome milk supply, enhance the scenic beauty of the State by preserving open space and provide a living for farmers and the businesses that support them; and

**Whereas,** it is therefore imperative that the State support the continuation of dairy farming; and

**Whereas,** the high operating costs of the State's dairy farms, combined with the low price of milk, are forcing the State's dairy farmers out of business; and

**Whereas,** a long-term approach is necessary to address the needs of the State's dairy industry; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Study commission established. Resolved:** That the Commission to Study Options for Preserving the Dairy Industry in the State, referred to in this resolve as the "commission," is established; and be it further

**Sec. 2. Membership. Resolved:** That the commission consists of 13 members, as follows:

1. Five Legislators, at least 2 of whom must be members of the Joint Standing Committee on Agriculture, Conservation and Forestry, appointed jointly by the President of the Senate and the Speaker of the House of Representatives; and

2. The following 8 members, appointed by the Governor:

A. One representative of the Department of Agriculture, Food and Rural Resources;

B. One dairy farmer who supplies the Maine market;

C. One dairy farmer who supplies the Boston market;

D. One dairy farmer who supplies the co-op market;

E. One representative of a milk processing operation;

F. One representative of a bank or firm that provides farm financing, with expertise in the milk industry;

G. One representative from the Department of Economic and Community Development; and

H. One representative of a company or firm that supplies dairy farmers with equipment or feed, or both; and be it further

**Sec. 3. Appointments; first meeting; chair. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. The Chair of the Legislative Council shall call the commission together for its first meeting no later than August 15, 1995. At the first meeting, the commission shall select a chair from among its legislative members; and be it further

**Sec. 4. Duties. Resolved:** That the commission shall study the situation of the Maine dairy industry and analyze options for ensuring the long-term stability and competitiveness of the industry. In conducting the study, the commission shall examine the following issues:

1. Strategies to reduce the costs and maximize the efficiencies of milk production;

2. Marketing opportunities for the State's dairy farms;

3. Appropriations to the Maine Milk Commission for distribution to dairy farmers; and