

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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

J.S. McCarthy Company
Augusta, Maine
2000

Whereas, the State currently has one of the lowest higher education enrollment rates in the country, ranking 47th in the percentage of citizens enrolled in higher education; and

Whereas, asynchronous and synchronous distance education over the Internet is a very effective way to deliver college courses to the State's people, especially those who work full-time and live in rural areas; and

Whereas, it is critical to make investments that will enable the State's citizens to access their college education over fast, reliable and cost-effective technology; now, therefore, be it

Sec. 1. Long-term access to technical colleges. Resolved: That, to ensure that affordable access to quality higher education is sustained, the Maine Technical College System shall attempt to enroll 1,000 newly matriculated students in each of the next succeeding biennia after the effective date of this resolve until such time as the technical colleges cumulatively matriculate 10,000 students, and the Legislature intends to continue to appropriate and allocate the necessary funds to the Maine Technical College System.

See title page for effective date.

CHAPTER 129

S.P. 923 - L.D. 2374

Resolve, to Implement the Recommendations Contained in the Report Entitled "Women's Health: An Action Plan for Maine"

Sec. 1. Women's health action plan implementation. Resolved: That the Department of Human Services, Bureau of Health shall implement the recommendations contained in the report entitled "Women's Health: An Action Plan for Maine," prepared by Medical Care Development, Inc., by contracting with a nonprofit organization to provide technical assistance, training, strategic planning, policy analysis and coordination; and be it further

Sec. 2. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Health

All Other \$200,000

Provides for the one-time appropriation of funds to implement recommendations in the "Women's Health: An Action Plan for Maine" report by contracting with a nonprofit organization to provide technical assistance, training, strategic planning, policy analysis and coordination.

See title page for effective date.

CHAPTER 130

H.P. 1658 - L.D. 2327

Resolve, to Establish a Commission to Study Kindergarten-to-grade-12 Educator Recruitment and Retention

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

Whereas, it is necessary and vital to the people of the State that the cause of teacher shortages and ways of recruiting and retaining teachers be determined; 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. Commission established. Resolved: That the Commission to Study Kindergarten-to-grade-12 Educator Recruitment and Retention, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 14 members:

1. The Commissioner of Education or the commissioner's designee;
2. The Commissioner of Labor or the commissioner's designee from the Division of Labor Market Information Services;
3. Three members representing teachers who are public school teachers in the State, appointed by the Maine Education Association;

4. One member representing superintendents in the State, appointed by the Maine School Superintendents Association;

5. One member representing school principals in the State, appointed by the Maine Principals Association;

6. One member representing school boards in the State, appointed by the Maine School Boards Association;

7. One member representing the National Commission on Teaching and America's Future or the Maine Leadership Consortium Steering Committee on the National Commission on Teaching and America's Future, appointed by the chair of the Maine Leadership Consortium's National Commission on Teaching and America's Future Steering Committee;

8. One member representing postsecondary education institutions in the State involved in teacher preparation and professional development programs, appointed by the Chancellor of the University of Maine System;

9. One member representing the State Board of Education, appointed by the State Board of Education;

10. One member representing businesses in the State, appointed by Maine State Chamber of Commerce;

11. One member representing the Maine Municipal Association, appointed by Maine Municipal Association; and

12. One member representing parents of public school students in the State, appointed by the Maine Parent Teachers Association; and be it further

Sec. 3. Chair. Resolved: That the commission shall elect a chair from among its members at the first commission meeting; and be it further

Sec. 4. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. When the appointment of all members has been completed, the Commissioner of Education or the commissioner's designee shall call and convene the first meeting of the commission no later than 15 days after the final member is appointed; and be it further

Sec. 5. Duties. Resolved: That the commission shall study teacher supply and its alignment with hiring needs, hiring practices, teacher salaries and benefits and comparability with competing careers,

assignments of new teachers, supervisory and support systems provided new teachers and attractiveness of the profession. The commission shall also study the causes of administrator shortages in the State.

The commission shall also study and report to the Legislature its findings on:

1. The causes of teacher shortages in the State;

2. The persistence of new teachers in positions for which they are hired and the reasons for any attrition;

3. The types and numbers of new teachers Maine schools will need to hire during the next decade;

4. The specific reasons why experienced teachers are leaving the profession or retiring early;

5. The types of financial incentives, including loan forgiveness, that may lead to the recruitment and retention of teachers;

6. The conditions and practices that lead to the recruitment and retention of an adequate supply of highly qualified teachers at the kindergarten-to-grade-12 level;

7. Recommendations of both local-level and state-level actions to achieve those conditions and practices; and

8. The causes of administrator shortages in the State, the types and numbers of new administrators that Maine schools will need to hire during the next decade and recommendations of both local-level and state-level actions to recruit and retain these new administrators; and be it further

Sec. 6. Staff assistance. Resolved: That the Department of Education shall provide staffing assistance and research services to the commission; and be it further

Sec. 7. Reimbursement. Resolved: That the members of the commission shall serve without compensation; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report, together with any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs during the First Regular Session of the 120th Legislature no later than December 1, 2000; and be it further

Sec. 9. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

**EDUCATION,
DEPARTMENT OF**

**General Purpose Aid for Local
Schools**

All Other	(\$30,000)
Deappropriates funds to offset appropriations provided to the State Board of Education to complete school funding research.	

**DEPARTMENT OF
EDUCATION**

TOTAL	(\$30,000)
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**STATE BOARD OF
EDUCATION**

State Board of Education

All Other	\$30,000
Provides funds to the State Board of Education to complete funding research pursuant to Public Law 1999, chapter 401, Part GG.	

**STATE BOARD OF
EDUCATION**

TOTAL	\$30,000
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TOTAL APPROPRIATION	\$0
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Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 10, 2000.

CHAPTER 131

H.P. 1901 - L.D. 2645

Resolve, to Create the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective

2000-01 until 90 days after adjournment unless enacted as emergencies; and

Whereas, the percent of gasoline taxes collected in the State that is paid on gasoline consumed by snowmobiles, all-terrain vehicles and motorboats represents a share of gas tax revenues that should be allocated equitably for programs supporting the enforcement and enhancement of snowmobile, all-terrain vehicle and watercraft use in the State; and

Whereas, the percent for each of those user groups is not presently known; and

Whereas, the overall resource needs to enforce current snowmobile, all-terrain vehicle and watercraft laws and to effectively plan for and provide the services required by current law are not presently known; and

Whereas, collecting and analyzing the information needed to determine the equitable distribution of gas tax revenues generated by snowmobiles, all-terrain vehicles and motorboats and to determine the overall resource needs to enforce and provide services required by law requires that this study begin as soon as possible after adjournment; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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. Commission established. Resolved: That the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 15 members:

1. Five members of the Senate appointed by the President of the Senate. When making the appointments, the President of the Senate shall give preference to members from the Joint Standing Committee on Inland Fisheries and Wildlife, the Joint Standing Committee on Marine Resources, the Joint Standing Committee on Agriculture, Conservation and Forestry, the Joint Standing Committee on Transportation and the Joint Standing Committee on Taxation;