

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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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 20 Resolve, Prohibiting the Use of Carpeting in Schools

ONTP

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

LD 20 directs the Department of Education to adopt rules prohibiting the use of carpeting as flooring for newly constructed school facilities and to require the replacement of floor coverings in renovation of existing school facilities with flooring other than carpeting.

**LD 34 Resolve, Regarding Legislative Review of Portions of Chapter 28:
Closing a School in the Unorganized Territory, a Major Substantive
Rule of the Department of Education**

**RESOLVE 7
EMERGENCY**

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

This bill provides for legislative review of portions of Chapter 28: Closing a School in the Unorganized Territory, a major substantive rule of the Department of Education.

Enacted Law Summary

Resolve 2007, chapter 7 provides that final adoption of portions of Chapter 28: Closing a School in the Unorganized Territory, a major substantive rule of the Department of Education, is authorized.

Resolve 2007, chapter 7 was enacted as an emergency measure effective April 12, 2007.

**LD 44 An Act To Require Changes in the Essential Programs and Services
Funding Formula Concerning Labor Market Areas**

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDGECOMB SHERMAN	ONTP MAJ OTP-AM MIN	

This bill requires that, beginning in fiscal year 2007-08, the regional adjustment to the salary and benefits costs of teachers and other school personnel that is based on labor market areas in the State must be 1.0 for all labor market areas in the State.

LD 88 Resolve, To Encourage the Use of Safe Chemicals in Public Schools

RESOLVE 32

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM MAJ OTP MIN	S-84

LD 88 requires the Department of Education to compile a list of safe alternatives to chemicals used in schools as cleaning agents and pesticides and to distribute the list to every school administrative unit in the State and make publicly available a list of school administrative units that commit to using safe alternatives to chemicals.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (S-84)

This amendment is the majority report of the committee. It revises the directive in the original bill to clarify expectations and require consultation with the Department of Environmental Protection and the Board of Pesticides Control.

Enacted Law Summary

Resolve 2007, chapter 32 directs the Department of Education to consult with the Department of Environmental Protection and the Board of Pesticides Control in compiling lists of preferred cleaning products and disinfectants and in developing recommendations for cleaning procedures that will reduce the use of toxic chemicals and improve indoor air quality in schools. The department is required to provide school administrative units with information on the use of pesticides and contact information for the Board of Pesticides Control. The department is also directed to make available to the public a list of schools that have committed to a green cleaning program.

LD 90 An Act To Provide State Funding for Fingerprinting of Educational Personnel

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY	ONTP MAJ OTP-AM MIN	

This bill requires the State to pay for fingerprinting of school personnel. The bill also requires the State to reimburse those who have been fingerprinted and have paid for the fingerprinting.

LD 123 An Act To Establish a Labor Center within the University of Maine System and To Restore Lost Funding to the Bureau of Labor Education

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE		H-142 S-138 STRIMLING

The purpose of the bill, a concept draft pursuant to Joint Rule 208, is to establish a center within the University of Maine System that would offer labor education and policy development for students and community organizations.

This bill makes ongoing General Fund appropriations of \$169,480 in fiscal year 2007-08 and \$174,136 in fiscal year 2008-09 to establish and maintain a center within the University of Maine System that would offer labor education and policy development for students and community organizations.

Committee Amendment "A" (H-142)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. This amendment incorporates a fiscal note.

Senate Amendment "A" (S-138)

This amendment increases the General Fund appropriations by \$85,000 each year in fiscal year 2007-08 and in fiscal year 2008-09.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.