

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

Public Law 2007, chapter 304 amends the definition of "jeopardy" in the statutes administered by the Department of Health and Human Services to include deprivation of education when the child is at least 7 years of age and has not completed grade 6. It requires a superintendent to include in the mandatory notice sent to parents of truant children that the superintendent is authorized to notify the Department of Health and Human Services of the truancy. It amends the definition of "abuse and neglect" to include violation of truancy laws by parents of children who are at least 7 years of age and have not completed grade 6. It allows a court to impose a fine not to exceed \$250 for habitual truancy and allows the court to suspend all or part of a fine for habitual truancy upon compliance with a court order issued in connection with the habitual truancy.

LD 462 An Act Authorizing the Institute for Doctoral Studies in the Visual Arts To Confer the Degree of Doctor of Visual Arts

P & S 1
EMERGENCY

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

LD 462 authorizes the Institute for Doctoral Studies in the Visual Arts to confer the degree of Doctor of Visual Arts upon students in accordance with the Maine Revised Statutes, Title 20-A, section 10704. The State Board of Education voted unanimously to approve the institute's application to confer the degree and transmitted its recommendation to the Joint Standing Committee on Education and Cultural Affairs in accordance with the Department of Education's rules, Chapter 149.

Enacted Law Summary

Private and Special Law 2007, chapter 1 authorizes the Institute for Doctoral Studies in the Visual Arts to confer the degree of Doctor of Visual Arts upon students.

LD 464 An Act To Reform Public Education by Encouraging Regional Approaches

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to reform public education by implementing recommendations included in the report entitled, "A Case for Cooperation: Making Connections to Improve Education for All Maine Students," published by the Maine Children's Alliance in 2006. The bill would amend the education laws in order to encourage new and expanded regional approaches to school organization and to facilitate voluntary cooperation in the delivery of educational programs and services.

Legislation developed to reform public education would include, but would not be limited to, the following:

1. The establishment of school planning alliances in 26 regions of the State based upon the existing centers and regions in the career and technical education system established in the Maine Revised Statutes, Title 20-A, chapter 313. A school planning alliance would be authorized to create a plan to increase educational opportunities, streamline administration and gain efficiencies for the school administrative units within the region;
2. The establishment of a new type of school administrative unit, the regional school district, as an option for school administrative units within a school planning alliance as described in section 1 to cooperate in creating a more effective and cost-efficient school system;

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