

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 483 An Act To Require That Public Schools Start after Labor Day

**ACCEPTED ONTP
REPORT**

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

LD 483 prohibits the school year from beginning before Labor Day.

**LD 484 An Act To Adjust the School Funding Formula with Regard to
Unorganized Territories**

PUBLIC 424

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARTER	ONTP MAJ OTP-AM MIN	H-261 S-375 ROTUNDO

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to adjust the school funding formula to require the unorganized territories to pay their full and fair share of educating students from the unorganized territories in kindergarten to grade 12.

Senate Amendment "A" (S-375)

This amendment removes the requirement in the Committee Amendment "A" that requires the Commissioner of Education to pay up to 110% of the receiving school administrative unit's established tuition rate for each elementary school student who is a tuition student from the unorganized territories and up to 110% of the state average per public secondary student cost for each secondary school student who is a tuition student from the unorganized territories. This amendment also removes the requirement from Committee Amendment "A" that requires the Commissioner of Education to compute the tuition paid for each tuition student and allocate the tuition costs to the property owners from the unorganized unit where the tuition student resides. Instead, this amendment requires the Commissioner of Education to pay each receiving unit's actual per student cost incurred for educating students in that receiving unit for both elementary and secondary students from the unorganized territories. This amendment removes the provision in current law that allows the commissioner to pay the lesser of the actual cost or the State average per-pupil cost.

Enacted Law Summary

Public Law 2007, chapter 424 requires the Commissioner of Education to pay each receiving unit's actual per student cost incurred for educating students in that receiving unit for both elementary and secondary students that are tuition students from the unorganized territories. The law removes the provision in current law that allows the commissioner to pay the lesser of the actual cost or the State average per-pupil cost for tuition students from the unorganized territories.

**LD 560 An Act To Integrate the Approval of Early Childhood Education Plans
for Children 4 Years of Age into Basic School Approval for Elementary
Schools**

PUBLIC 141

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

Joint Standing Committee on Education and Cultural Affairs

This bill defines "public preschool program" in the laws governing education. This definition differentiates a public preschool program from a one- or two-year kindergarten program. The bill also integrates approval of early childhood education plans for programs for children 4 years of age into the laws governing basic school approval.

Enacted Law Summary

Public Law 2007, chapter 141 amends the definition of a "public preschool program" in the laws governing education to differentiate a public preschool program from a one- or two-year kindergarten program. The law also integrates approval of early childhood education plans for programs for children 4 years of age into the laws governing basic school approval.

LD 614 An Act To Modify the Essential Programs and Services Formula To Aid Rural School Districts ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to modify the essential programs and services school funding formula to aid rural school districts by changing the adjustment in the formula made for salaries and benefits received by school personnel.

LD 672 An Act To Strengthen the Scientific Research Support Capability of the Maine State Museum CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL		S-42

LD 672 makes ongoing General Fund appropriations of \$62,754 in fiscal year 2007-08 and \$87,747 in fiscal year 2008-09 to the Maine State Museum for one Museum Specialist III position beginning October 1, 2007 in order to allow 2 half-time Ph.D. scientists currently sharing one full-time position to both work full-time.

Committee Amendment "A" (S-42)

This amendment incorporates a fiscal note.

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

LD 791 An Act To Ensure Equitable Geographic Representation on the State Board of Education PUBLIC 179

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-107 RAYE S-43

This bill changes the composition of the State Board of Education by requiring that membership of the board be broadly representative of the geographic regions of the State and of municipalities of varying sizes.

Committee Amendment "A" (S-43)

This amendment strikes the requirement in the bill regarding changes to the composition of the State Board of Education related to broad representation of municipalities of varying sizes, but retains the requirement that the