

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

By July 2008: Commission approves regional cooperatives.

By June 2009: Regional cooperatives implement plans, make adjustments and report cost savings.

By July 2009: Commission implements reorganization and cost-saving plans for school administrative units that have not entered into a regional cooperative or that have failed to meet the annual per-pupil expenditure benchmarks established by the commission for the system administration cost category.

By May 2010: Regional cooperatives realign work, plan for sustainability and report progress.

LD 836 An Act To Enhance Special Education

PUBLIC 307

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS TURNER	OTP-AM	H-417

This bill aligns existing law with the 2004 reauthorization of the federal Individuals with Disabilities Education Act and the regulations recently adopted by the United States Department of Education. The bill ensures state compliance with federal statutes and regulations and ensures that the State, school administrative units and other agencies are eligible for continued federal assistance. The bill specifies that Child Development Services System sites and governing boards are covered under the Maine Tort Claims Act; this inclusion expires June 30, 2008. The bill also specifies that Child Development Services System employees are public employees.

Committee Amendment "A" (H-417)

This amendment strikes the proposed repeal contained in the bill of several existing statutory provisions related to the duties of the board of directors of the regional sites of the Child Development Services System. The amendment is consistent with the intent of the bill that proposed to extend the repeal dates established in Public Law 2005, chapter 662 to permit more time for the implementation of several initiatives within the early childhood special education program that centralize fiscal administration, salary and benefits administration and data management policies and procedures.

The amendment also authorizes the state intermediate educational unit to function as the public employer of employees of a regional site within the early childhood special education program if the employees of a regional site choose to be represented by an agent for the purposes of collective bargaining. Finally, the amendment authorizes the state intermediate educational unit to enter into contracts, leases or other arrangements to perform its duties.

Enacted Law Summary

Public Law 2007, chapter 307 extends the repeal dates established in Public Law 2005, chapter 662 to permit more time for the implementation of several initiatives within the Child Development Services System that centralize fiscal administration, salary and benefits administration and data management policies and procedures for the early childhood special education program. The law also authorizes the state intermediate educational unit to function as the public employer of employees of a regional site within the early childhood special education program if the employees of a regional site choose to be represented by an agent for the purposes of collective bargaining. Finally, the law authorizes the state intermediate educational unit to enter into contracts, leases or other arrangements to perform its duties.