

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

This amendment is being offered on behalf of the Committee on Engrossed Bills to incorporate a revised fiscal note.

Senate Amendment "A" (S-100)

This amendment changes the bill to a resolve that directs the Department of Education to devise and implement methods to encourage school administrative units to encourage secondary school students to complete at least one application to a college, university or other postsecondary educational institution. These methods may include but are not limited to adding a requirement that a secondary school student complete at least one application to a college, university or other postsecondary educational institution to the requirements in the department's rules for the award of a diploma.

Enacted Law Summary

Resolve 2007, chapter 122 directs the Department of Education to devise and implement methods to encourage school administrative units to encourage secondary school students to complete at least one application to a college, university or other postsecondary educational institution. These methods may include but are not limited to adding a requirement that a secondary school student complete at least one application to a college, university or other postsecondary educational institution to the requirements in the department's rules for the award of a diploma.

LD 1041	An Act To Improve the Essential Programs and Services Funding Formula	CARRIED OVER
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH MARRACHE		

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to improve various aspects of the funding formula for local schools contained in the Essential Programs and Services Funding Act.

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

LD 1042	An Act To Establish Uniformity in School Building Construction BY REQUEST	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WEDDELL	ONTP	

This bill requires the State Board of Education to adopt rules for new school construction projects that define what constitutes small, medium and large schools. The state board is required to develop standard school construction plans for small, medium and large elementary schools, middle schools and high schools based on student enrollment. The state board may not approve the allocation of state funds for a new school construction project unless the new school construction plan submitted in the application meets the standard school construction plans.

LD 1043	An Act Regarding Requirements for the Issuance and Renewal of Teaching Certificates	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOLMAN	ONTP	

Joint Standing Committee on Education and Cultural Affairs

This bill provides that the Commissioner of Education may authorize the issuance or renewal of teacher certificates upon a review of evidence provided by the candidate of qualifications that demonstrate that the candidate's life experience, work experience or educational experience is commensurate with the course work or other educational requirements that at the time of the demonstration are required for issuance or renewal of the teacher certificate for which the candidate has applied.

LD 1103 *Resolve, To Determine the Impact of Funding for State Higher Education on the Distribution of Higher Education Costs among Families, Taxpayers and Publicly Supported Institutions of Higher Education*

RESOLVE 119

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-269

This bill provides additional funding for the University of Maine System to provide a 5% total increase in funding in each year of the biennium. It also provides that no later than fiscal year 2014-15 the percentage of funding for the University of Maine System and the Maine Community College System that is provided from General Fund appropriations must be at least 55%.

Committee Amendment "A" (S-269)

This amendment strikes and replaces the bill with a resolve directing the University of Maine System, the Maine Community College System, Maine Maritime Academy and the Finance Authority of Maine to collaboratively conduct a review of the impact of funding for publicly supported higher education in the State during the period from fiscal year 2002-03 to fiscal year 2006-07. The amendment provides 2 research questions for this review.

1. How have Maine finance policies related to the distribution of public subsidies influenced the distribution of student-related higher education costs among parents and students, state taxpayers, federal taxpayers and publicly supported institutions of higher education in the State?

2. As perceived by the review panel, what conclusions and implications can be drawn from the data concerning the degree to which state finance policies related to the distribution of public subsidies have sustained access, advanced equity of higher education opportunity and promoted equitable cost-sharing for all Mainers?

The amendment also provides that the review panel shall present its report, including findings, recommendations and any necessary legislation, to the Joint Standing Committee on Education and Cultural Affairs no later than January 31, 2008. The Joint Standing Committee on Education and Cultural Affairs may submit a bill based on the report presented pursuant to this resolve to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 119 directs the University of Maine System, the Maine Community College System, Maine Maritime Academy and the Finance Authority of Maine to collaboratively conduct a review of the impact of funding for publicly supported higher education in the State during the period from fiscal year 2002-03 to fiscal year 2006-07. The resolve provides 2 research questions for this review.

1. How have Maine finance policies related to the distribution of public subsidies influenced the distribution of student-related higher education costs among parents and students, state taxpayers, federal taxpayers and publicly supported institutions of higher education in the State?

2. As perceived by the review panel, what conclusions and implications can be drawn from the data concerning the degree to which state finance policies related to the distribution of public subsidies have sustained access, advanced