

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. PETER B. BOWMAN, CHAIR
SEN. ELIZABETH H. MITCHELL
SEN. PETER MILLS

REP. JACQUELINE R. NORTON, CHAIR
REP. EDWARD D. FINCH
REP. ELAINE MAKAS
REP. DAVID W. FARRINGTON
REP. CHARLES WILLIAM HARLOW
REP. PATRICIA B. SUTHERLAND
REP. PETER EDGECOMB
REP. HOWARD E. MCFADDEN
REP. ROBERTA M. MUSE
REP. MEREDITH N. STRANG BURGESS

STAFF:

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
JILL IPPOLITI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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 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

Joint Standing Committee on Education and Cultural Affairs

equity of higher education opportunity and promoted equitable cost-sharing for all Mainers?

The resolve 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.

LD 1123 Resolve, Relating to the Wells-Ogunquit Community School District

RESOLVE 129

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWMAN	OTP-AM MAJ ONTP MIN	S-175

This bill changes the formula for computing each town's assessment for the expenses of the Wells-Ogunquit Community School District. The current formula bases 66.7% of the assessments on state valuation and 33.3% on the number of resident pupils in each town. The formula is changed so that the assessments are based on 67% of the number of resident pupils and 33% on the assessment of state valuation. This bill also removes language that permits the towns to agree to change the formula by separate majority vote in each town and that requires a withdrawal from the community school district to be authorized by special act of the Legislature.

Committee Amendment "A" (S-175)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment replaces the bill with a resolve and requires the Town of Ogunquit and the Town of Wells or their representatives to negotiate in good faith in order to reach a settlement of the dispute between the towns regarding the formula for computing each town's assessment for the total expenses of the Wells-Ogunquit Community School District. The amendment also requires that the towns present a report, including findings and recommendations regarding changes to the formula for apportionment of kindergarten-to-grade-12 education costs of the school district, to the Joint Standing Committee on Education and Cultural Affairs no later than December 5, 2007. Finally, the amendment provides that the Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 123rd Legislature regarding its recommendations on the report submitted by the towns to settle this dispute.

Enacted Law Summary

Resolve 2007, chapter 129 requires the Town of Ogunquit and the Town of Wells or their representatives to negotiate in good faith in order to reach a settlement of the dispute between the towns regarding the formula for computing each town's assessment for the total expenses of the Wells-Ogunquit Community School District. The resolve also requires that the towns present a report, including findings and recommendations regarding changes to the formula for apportionment of kindergarten-to-grade-12 education costs of the school district, to the Joint Standing Committee on Education and Cultural Affairs no later than December 5, 2007. Finally, the resolve provides that the Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 123rd Legislature regarding its recommendations on the report submitted by the towns to settle this dispute.

LD 1152 An Act To Improve Public Education in Maine

CARRIED OVER

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