

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

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		

Joint Standing Committee on Education and Cultural Affairs

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the education statutes to improve public education. The bill proposes to change:

1. The system of learning results, established in the Maine Revised Statutes, Title 20-A, chapter 222, to improve elementary and secondary public education in the State by advancing educational equity, reinforcing accountability and promoting the assessment of student learning;
2. The Essential Programs and Services Funding Act, established in Title 20-A, chapter 606-B, to ensure the provision of adequate educational resources for all students to meet the standards in the 8 content standard subject areas of the system of learning results; and
3. The Child Development Services System, as defined in Title 20-A, section 7001, subsection 1-A, to ensure the provision of child find activities, early intervention services and free, appropriate public education services to eligible children as required by federal law and state statutes, including the provisions of Title 20-A, chapters 301 and 303.

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

LD 1175 An Act To Apply Municipal Nepotism Policies to Municipal School Units

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHETTE PERRY J	ONTP	

This bill requires that municipalities with an ordinance, charter, code or personnel policy that governs nepotism relating to employment of a family member of a municipal officer use that policy for school board members of a municipal school unit.

LD 1178 An Act To Update and Clarify Laws Relating to Maine's Community Colleges

PUBLIC 67

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

This bill updates and clarifies several laws governing Maine's community colleges. It requires the Board of Trustees of the Maine Community College System to license dormitory rooms for occupancy by students. It updates the language regarding traffic violations on campus. It clarifies that the Maine Community College System personnel records are entitled to the same protections as the personnel records of state employees. It enables the community colleges to enhance public safety by specifying the colleges' ability to control firearm possession on their campuses. Finally, it gives community college library patrons the same rights regarding confidentiality as patrons of the University of Maine System, Maine Maritime Academy and municipal libraries.

Enacted Law Summary

Public Law 2007, chapter 67 updates and clarifies several laws governing Maine's community colleges. It requires the Board of Trustees of the Maine Community College System to license dormitory rooms for occupancy by students. It updates the language regarding traffic violations on campus. It clarifies that the Maine Community College System personnel records are entitled to the same protections as the personnel records of state employees. It