

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON EDUCATION AND  
CULTURAL AFFAIRS**

July 2007

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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

123<sup>RD</sup> 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 123<sup>rd</sup> 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 1257 An Act Regarding the Terms of Members of the Maine State Museum Commission**

**PUBLIC 100  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-105

LD 1257 adds one year to the terms of Maine State Museum Commission members, and provides a transition plan to create a pattern for future appointments. This pattern will result in 3 out of 15 member terms expiring on a fixed date each year.

**Committee Amendment "A" (H-105)**

This amendment adds an emergency preamble and emergency clause to the bill.

**Enacted Law Summary**

Public Law 2007, chapter 100 adds one year to the terms of Maine State Museum Commission members, and provides a transition plan for future appointments. After the transition period, each member will be appointed to a term of 5 years with 3 of the 15 members' terms expiring each year.

Public Law 2007, chapter 100 was enacted as an emergency measure effective May 10, 2007.

**LD 1281 Resolve, Requiring the Department of Education To Issue Rules Adopting the Northwest Evaluation Association's Assessment System as an Approved Method of Meeting Learning Results**

**ONTP**

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

This bill directs the Department of Education to issue rules adopting the Northwest Evaluation Association's assessment system as an approved method of meeting learning results.

**LD 1292 An Act To Ensure the Provision of Necessary Conditions for Effective Education Reform**

**ONTP**

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

This bill changes the conditions and resources that implement the standards-based education system for all students and it requires these conditions and resources to be provided in all school administrative units. It also requires that comprehensive plans for the implementation of standards-based education be collaboratively developed.

**LD 1324 An Act To Restore Income as a Factor in the Determination of Fiscal Capacity in the School Funding Formula**

**ONTP**

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

## *Joint Standing Committee on Education and Cultural Affairs*

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to preserve the provisions of the Essential Programs and Services Funding Act that determine each school administrative unit's total allocation, but to discontinue the method of determining the local share and the state share of the total allocation by means of the maximum mill rate expectation system. The bill would restore the structure of the school subsidy distribution system that was discontinued in fiscal year 2005-06. Prior to fiscal year 2005-06, the school funding formula utilized a combination of relative local property valuation, weighted at 85%, and relative local median income, weighted at 15%, to determine the local share of the total allocation.

**LD 1325     An Act To Ensure Adequate Funding for Students of Alternative Schools**

**ONTP**

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

LD 1325 amends the existing statutes regarding responsibility for funding alternative education programs, including private programs, for students who enroll in alternative education programs outside the school administrative units in which they reside.

**LD 1333     An Act To Develop an Equitable Funding Formula for the University of Maine System Campuses**

**ONTP**

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

LD 1333 is a concept draft pursuant to Joint Rule 208. This bill proposes to require an examination of the method by which state funds are distributed throughout the University of Maine System and to develop a more equitable formula for the distribution of those funds among the University of Maine System campuses.

**LD 1366     An Act To Limit the Loss a School Administrative Unit Could Receive under the School Funding Formula**

**ONTP**

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

This bill establishes a 5% limit to the amount of state subsidy that a school administrative unit could lose from the preceding year to the current year under the Essential Programs and Services Funding Act.

**LD 1367     An Act To Address the Inequities of the Probationary Teacher Laws**

**ONTP**

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

This bill amends the laws pertaining to probationary teachers by:

1. Requiring an evaluation process jointly developed between the school board and the collective bargaining agent to be used in the nomination of a teacher;