

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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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

LD 1426 An Act To Enhance the Prekindergarten Experience for Maine Children

CARRIED OVER

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

This bill requires the Department of Education to develop standards for all prekindergarten early childhood care and preschool education programs developed by school administrative units. The standards are designed to ensure meaningful collaboration with existing community-based child care providers and early care and education providers and include an analysis of the effects of such programs on existing programs. The standards will also ensure uniformity of standards relating to class sizes, adult to child ratios, teacher and assistant teacher qualifications, curricula and instruction, student screening and assessment, nutrition and physical environment, access to outdoor play areas and family involvement and support services.

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

LD 1427 Resolve, To Evaluate Parenting Education and To Develop Parenting Resources in Maine High Schools

ONTP

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

LD 1427 makes information on parenting more accessible to high school students. This resolve directs the Department of Education to convene a working group to compile resources for parenting education and to consider recommending the incorporation of parenting as an important life skill into the State's system of learning results. The resolve also directs the Department of Education to provide parenting resources to all the high schools in the State.

LD 1442 Resolve, To Increase Physical Education for Elementary School Students

RESOLVE 102

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLER	OTP-AM	H-460

LD 1442 establishes minimum weekly time requirements for physical education. Beginning in school year 2010-2011, a minimum of 150 minutes per week would be required for students from kindergarten through grade 5 and 225 minutes per week for grades 6 through 8. The bill requires that physical education be taught by a teacher certified in physical education. The program content and student assessment must comply with nationally established standards for physical education.

Committee Amendment "A" (H-460)

This amendment replaces the bill with a resolve directing the Commissioner of Human Services, the Commissioner of Education and the cochairs of the Governor's Council on Physical Fitness, Sports, Health and Wellness to convene a planning and oversight team, known as PE4ME. This group is charged with developing standards for physical education in elementary schools and an implementation plan to achieve those standards by the 2010-2011 school year.

Enacted Law Summary

Joint Standing Committee on Education and Cultural Affairs

Resolve 2007, chapter 102 directs the Commissioner of Human Services, the Commissioner of Education and the cochairs of the Governor's Council on Physical Fitness, Sports, Health and Wellness to convene a planning and oversight team, known as PE4ME. PE4ME is charged with developing standards for physical education in elementary schools and an implementation plan to achieve those standards by the 2010-2011 school year. It requires that the team report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Education and Cultural Affairs no later than December 31, 2007. It authorizes the Joint Standing Committee on Education and Cultural Affairs to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 1465 *Resolve, To Establish a Pilot Program for a Trimester Schedule at the University of Maine at Presque Isle* **ONTP**

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

This resolve directs the University of Maine at Presque Isle to establish a pilot program to implement a trimester system during the school year to create a 3-year period for earning a bachelor's degree instead of a 4-year period. The university shall report on the status of this program each February to the Joint Standing Committee on Education and Cultural Affairs.

LD 1473 *An Act To Provide State Support for State-approved School Construction Projects in Certain Municipalities* **ONTP**

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

This bill provides an adjustment to the state contribution for debt service for certain member municipalities in school administrative districts or community school districts when one or more member municipalities, but not all the school district's member municipalities, have a local contribution that is below the mill rate expectation established pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A. The bill provides an adjustment to the state contribution for debt service equivalent to the adjustments provided to the state share of the total allocation for school administrative units that are determined to be eligible for the adjustment to the state contribution for debt service pursuant to Title 20-A, section 15689, subsection 2, except that the adjustment for debt service for eligible member municipalities of these school districts must be made considering all debt service costs of the member municipality that have been placed on the State Board of Education's priority list for state funding of a school construction project before or after January 2005 instead of by January 2005 as otherwise required under Title 20-A, section 15689, subsection 2, paragraph A, subparagraph (2).

LD 1480 *An Act To Provide an Income Tax Credit for Donations to Maine Public Schools* **ONTP**

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

This bill provides an income tax credit for 30% of eligible donations to a public school for the purpose of supporting academic programs and services. The Department of Education is required to define eligible donations. Forty percent of eligible donations to the school may not be used to reduce state funding to the school administrative unit