

# 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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**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

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 1590 An Act To Clarify the Method of Education Cost Sharing among Certain Municipalities**

**INDEF PP**

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

This bill clarifies that certain provisions of the Essential Programs and Services Funding Act that govern cost sharing among municipalities in a school administrative district or community school district do not apply to municipalities that are members of a school administrative district or a community school district whose cost sharing formula was validated pursuant to private and special law prior to January 1, 2004. Current law provides an exemption from those provisions for municipalities whose formulas were established pursuant to private and special law.

**LD 1591 An Act To Provide Educational Opportunities for Dependents of Maine Military Personnel**

**ONTP**

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

Current law provides a tuition waiver to a state-supported postsecondary school to a child of a veteran; room and board is not included. This bill includes room and board in the waiver for a child of a veteran when that child is a full-time student.

**LD 1608 An Act To Require Legislative Review of Rules Governing the Requirements for Local Support Systems Required as Part of the Certification Process of Educational Personnel**

**DIED BETWEEN HOUSES**

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

This bill requires rules adopted by the Department of Education, State Board of Education concerning support systems required as part of the certification of educational personnel be major substantive rules under the Maine Administrative Procedure Act and suspends all rulemaking of a rule that is not a major substantive rule.

**LD 1619 An Act To Amend the Laws Regarding Adult Education**

**PUBLIC 131**

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

LD 1619 updates the provisions governing adult education to ensure that the definitions used, the programs described, the eligibility and funding requirements and reimbursement rates in statute reflect other changes in education law and changes in policy objectives that have occurred since the adult education statutes were last amended.

**Enacted Law Summary**

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

Public Law 2007, chapter 131 updates the provisions governing adult education. It also includes warrant language for raising, appropriating, receiving and expending money for adult education and educational activities and provides an enhanced description of the funding to be requested annually for the State's administration of the adult education program. It also enacts a provision to ensure that adult education students are provided information regarding and referral to other state departments and agencies.

**LD 1624    An Act To Hold School Systems to the Same Spending Limits as Municipalities** **ONTP**

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

This bill imposes an additional limit on spending of a school administrative unit equal to the average of the municipal property tax levy limits of the municipalities within the unit.

**LD 1634    An Act To Reduce School Construction Costs** **ONTP**

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

LD 1634 is a concept draft. The purpose of the bill is to require the State to develop one basic school construction design for kindergarten to grade 8 schools and one basic school construction design for secondary schools. The designs must provide for expansion of the schools if additional capacity is needed after original construction. Materials to be used in the construction of the designs must be selected for their safety and energy efficiency. This bill also requires that the compensation paid for the architectural services for the basic school construction designs must be based on the provision of the architectural design services and may not be tied to the value of the materials used in the construction of any school building.

**LD 1638    Resolve, To Limit the Department of Education's Rulemaking in the Area of Special Education to Matters Required To Align State Rules with Federal Law** **ONTP**

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

This resolve directs the Department of Education to limit the proposed rules it submits to the Joint Standing Committee on Education and Cultural Affairs regarding special education for children 6 years of age or older and under 21 years of age to those necessary to align state rules with federal regulations. The department shall file a report by December 30, 2007.

**LD 1683    An Act To Appropriate Funds for the Katahdin Cultural Center** **ACCEPTED ONTP REPORT**

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