

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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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

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	

Joint Standing Committee on Education and Cultural Affairs

LD 1683 appropriates \$125,000 for the one-time start-up funding for the Katahdin Cultural Center.

**LD 1694 An Act To Establish the Publicly Supported Private Secondary School
Advisory Council**

PUBLIC 342

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASTINGS	OTP-AM MAJ ONTP MIN	H-465 NORTON S-157

LD 1694 establishes the Town Academy Advisory Council in the Department of Education. The council is required to advise the Commissioner of Education on the needs of the town academies and to facilitate communication among the academies, the department and school superintendents.

Committee Amendment "A" (S-157)

This amendment is the majority report. It clarifies the term "town academy." It adds a member of a school board to the advisory council. It also specifies the terms of appointment and staggers terms for initial appointments.

House Amendment "B" (H-465)

This amendment replaces the term "town academy" with "publicly supported private secondary school" and defines "publicly supported private secondary school."

Enacted Law Summary

Public Law 2007, chapter 342 establishes the Publicly Supported Private Secondary Schools Advisory Council in the Department of Education. Its members are unpaid gubernatorial appointees representing heads and trustees of publicly supported private secondary schools and public school superintendents. The council is required to advise the Commissioner of Education on the needs of the publicly supported private secondary schools and to facilitate communication among these schools, the department and school superintendents.

**LD 1721 An Act Regarding the Sharing of Educational Costs in School
Administrative Units of Multiple Municipalities**

**ACCEPTED ONTP
REPORT**

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

This bill changes the cost-sharing formula for municipalities in school administrative units composed of more than one municipality. Beginning July 1, 2009, each municipality's contribution to the total cost of education is determined by a cost-sharing formula established by the Department of Education by rule. The formula must establish the contribution levels in a manner that ensures that no less than 50% of the entire unit's contribution to the total cost of education is shared primarily on the basis of the comparative wealth of each member municipality calculated at least in part by the property fiscal capacity of each municipality. The formula must also include the relative pupil counts of member municipalities and may include other factors the department determines relevant and appropriate. The department is directed to establish the details of the formula by routine technical rule.