

# 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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# 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 1785 An Act To Permit Automated External Defibrillators in Kindergarten to Grade 12 Schools**

**PUBLIC 267**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON	OTP-AM	H-311

This bill requires every school administrative unit to place an automated external defibrillator in each of the unit's school buildings and make it available for secondary school athletic events inside and outside the building. The bill requires the school administrative unit to place the defibrillator in an easily accessible location, notify employees, students and local emergency response agencies of its location and develop procedures for the possession, storage and use of the defibrillator and for perceived sudden cardiac arrest emergencies. This bill also provides immunity for people who possess, store and use an automated external defibrillator under the provisions of the bill.

**Committee Amendment "A" (H-311)**

This amendment revises the title of the bill and strikes and replaces the provisions in the bill that proposed to mandate that school administrative units place automated external defibrillators in every school building and at school athletic events. The amendment allows school boards to place automated external defibrillators in occupied school buildings and at school athletic events. The amendment also allows school personnel and members of the public to receive training on how to perform cardiopulmonary resuscitation and use automated external defibrillators. The amendment further establishes immunity from civil liability provisions for damages relating to the use, possession or purchase of an automated external defibrillator and arising out of acts or omissions relating to preparing for and responding to suspected sudden cardiac arrest emergencies.

**Enacted Law Summary**

Public Law 2007, chapter 267 allows school boards to place automated external defibrillators in occupied school buildings and at school athletic events. The law also allows school personnel and members of the public to receive training on how to perform cardiopulmonary resuscitation and use automated external defibrillators. The amendment further establishes immunity from civil liability provisions for damages relating to the use, possession or purchase of an automated external defibrillator and arising out of acts or omissions relating to preparing for and responding to suspected sudden cardiac arrest emergencies.

**LD 1821 Resolve, Regarding Legislative Review of Portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a Major Substantive Rule of the Department of Education**

**RESOLVE 71  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-312

This resolve provides for legislative review of portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-312)**

This amendment provides that final adoption of the provisionally adopted major substantive rule is authorized contingent upon the Department of Education amending the provisionally adopted rule to:

1. Delete the references in the addendum section of the rule to the standards and performance indicators established in 1997 for the content areas of mathematics, reading and science and technology for the secondary school grade

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

levels;

2. Delete the standards and performance indicators for the prekindergarten to grade 2 grade span in all of the content areas addressed in the rule; and
3. Revise the standards in the English language arts and the science and technology content areas to improve the clarity of these content standards and performance indicators.

### **Enacted Law Summary**

Resolve 2007, chapter 71 provides that final adoption of the provisionally adopted major substantive rule is authorized contingent upon the Department of Education amending the provisionally adopted rule to:

1. Delete the references in the addendum section of the rule to the standards and performance indicators established in 1997 for the content areas of mathematics, reading and science and technology for the secondary school grade levels;
2. Delete the standards and performance indicators for the prekindergarten to grade 2 grade span in all of the content areas addressed in the rule; and
3. Revise the standards in the English language arts and the science and technology content areas to improve the clarity of these content standards and performance indicators.

Resolve 2007, chapter 71 was enacted as an emergency measure effective June 8, 2007.

**LD 1831      Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel Part I and II, Requirements for Specific Certificates and Endorsements, a Major Substantive Rule of the Department of Education**

**RESOLVE 43  
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel Part I and II, Requirements for Specific Certificates and Endorsements, a major substantive rule of the Department of Education.

### **Enacted Law Summary**

Resolve 2007, chapter 43 provides that final adoption of portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel Part I and II, Requirements for Specific Certificates and Endorsements, the provisionally adopted major substantive rule of the Department of Education, is authorized.

Resolve 2007, chapter 43 was enacted as an emergency measure effective May 29, 2007.

**LD 1839      An Act To Further the Implementation of the Essential Programs and Services Funding Act**

**ACCEPTED ONTP  
REPORT**

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