

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

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**

Sponsor(s)

Committee Report

Amendments Adopted

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**

Sponsor(s)

Committee Report

Amendments Adopted

NORTON

ONTP MAJ
OTP-AM MIN

Joint Standing Committee on Education and Cultural Affairs

This bill provides for the continuing implementation of the Essential Programs and Services Funding Act in the areas of the subsidizable cost of operating programs in private secondary schools, the Permanent School Fund, adjustments to the state share of total allocation for debt service and methods of determining pupil tuition rates.

LD 1850 An Act To Improve Efficiency and Effectiveness of Early Intervention and Early Childhood Special Education for Children from Birth to Eight Years of Age through Improved Oversight, Accountability and Interagency Coordination

PUBLIC 450

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	<div style="display: flex; justify-content: space-between;"> H-624 NORTON </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> S-267 </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> S-296 MITCHELL </div>

This bill implements the recommendations of the Subcommittee To Study Early Childhood Special Education, which was established by Public Law 2005, chapter 662 to study early intervention and early childhood special education services for children from birth to 8 years of age. Based upon the findings of the subcommittee, including findings that the Child Development Services System performs very well relative to national benchmarks and findings that there is a national trend among states toward greater interagency coordination and oversight, the bill builds on Maine's good performance, increases interagency collaboration and increases accountability of system components to the executive and legislative branches and to the public by:

1. Building on the current system's demonstrated strengths while making changes where needs are recognized;
2. Keeping intact a Child Development Services System to coordinate services for eligible children from birth until 5 years of age and to ensure that such children receive early intervention and early childhood special education under the federal Individuals with Disabilities Education Act, Part B, Section 619 and Part C, 20 United States Code, Section 1400 et seq.;
3. Maintaining the Department of Education as Maine's lead agency under the federal Individuals with Disabilities Education Act while strongly promoting interagency collaboration and oversight;
4. Expanding connections of federally mandated child find and service delivery with school administrative units, with programs of the Department of Health and Human Services and with medical and other providers of services to children from birth until 5 years of age;
5. Requiring the Child Development Services System to report annually to legislative, advisory and governing bodies about the performance of the system, including information on the performance of individual regional sites and of the system;
6. Requiring the Department of Education and the Department of Health and Human Services to establish and adopt common dual-department early childhood standards for children from birth to 8 years of age based on standards of the National Association for the Education of Young Children, the federal Individuals with Disabilities Education Act and the Division for Early Childhood of the Council for Exceptional Children;
7. Requiring Child Development Services System regional sites to ask parents of children who were discharged from the Child Development Services System prior to school entry to grant consent for the regional site to share relevant information from the child's early intervention or early childhood special education record with the receiving public school and requiring the regional sites to share this information with the public school if the parent consents;