

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. PETER B. BOWMAN, CHAIR
SEN. ELIZABETH H. MITCHELL
SEN. PETER MILLS

REP. JACQUELINE R. NORTON, CHAIR
REP. EDWARD D. FINCH
REP. ELAINE MAKAS
REP. DAVID W. FARRINGTON
REP. CHARLES WILLIAM HARLOW
REP. PATRICIA B. SUTHERLAND
REP. PETER EDGECOMB
REP. HOWARD E. MCFADDEN
REP. ROBERTA M. MUSE
REP. MEREDITH N. STRANG BURGESS

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

Board of Examiners of Psychologists.

The resolve also directs the Commissioner of Education to establish a stakeholder group to examine the portions of "Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty," the provisionally adopted rule that was submitted for legislative review during the First Regular Session of the 123rd Legislature by the Department of Education, that pertain to the determination of adverse effect and to develop recommendations to the Commissioner of Education regarding any necessary changes to the Chapter 101 rules.

Resolve 2007, chapter 138 was enacted as an emergency measure effective June 27, 2007.

LD 1901

Resolve, To Analyze the Feasibility of Establishing an Education Bill of Rights for Deaf and Hard-of-hearing Children

RESOLVE 94

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS EDMONDS	OTP-AM	H-468

This bill establishes an education bill of rights for deaf and hard-of-hearing children. These rights are based on current federal and state rules and laws. This bill encourages the development of a communication-driven and language-driven educational delivery system in Maine for children who are deaf and hard-of-hearing. It promotes the well-being and growth of students who are deaf or hard-of-hearing by ensuring that educational programs recognize the unique nature of deafness and the hard-of-hearing condition and by ensuring that all students who are deaf or hard-of-hearing have appropriate, ongoing and fully accessible opportunities. This bill also provides that all Department of Education rules relating to deaf and hard-of-hearing children be contained in a single section of the department's rules relating to special education in Chapter 101. By collecting rules relating to deaf and hard-of-hearing children in one place, school districts will be able to become more knowledgeable about all the rules that relate to these children. Collecting rules relating to deaf and hard-of-hearing children in a single section will increase the accessibility of these rules and minimize confusion.

Committee Amendment "A" (H-468)

This amendment replaces the bill with a resolve to require the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to jointly convene a working group to analyze the feasibility of establishing a set of basic education rights for deaf and hard-of-hearing children. The amendment requires that, no later than January 31, 2008, the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf jointly submit a report that includes their findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs. The amendment also authorizes the Joint Standing Committee on Education and Cultural Affairs to submit a bill to the Second Regular Session of the 123rd Legislature to implement its recommendations on matters relating to the report.

Enacted Law Summary

Resolve 2007, chapter 94 requires the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to jointly convene a working group to analyze the feasibility of establishing a set of basic education rights for deaf and hard-of-hearing children. The resolve requires that, no later than January 31, 2008, the Department of Education and the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf jointly submit a report that includes their findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs. The resolve also authorizes the Joint Standing Committee on Education and Cultural Affairs to submit a bill to the Second Regular Session of the 123rd Legislature to implement its recommendations on matters relating to the report.