

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

**JOINT STANDING COMMITTEE ON EDUCATION AND
CULTURAL AFFAIRS**

May 2008

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STATE OF MAINE
123RD LEGISLATURE
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**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Education and Cultural Affairs

LD 2175 Resolve, To Ensure Support for a Model of Consolidated and Integrated Secondary and Postsecondary Education

RESOLVE 223

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM	H-825

This resolve directs the Department of Education to recommend to the State Board of Education an innovative model of consolidated and integrated secondary and postsecondary education that includes facilities for:

1. A regional high school;
2. A fully integrated career and technical high school;
3. A higher education center that will provide courses and degrees from both the University of Maine System and the Maine Community College System; and
4. Centers of excellence that will provide industry-specific training.

It directs the State Board of Education to select a model by October 1, 2008 and directs the Department of Education to ensure that construction funding for the comprehensive high school and career and technical high school portions of the model is included in the next full round of new school construction funding.

Committee Amendment "A" (H-825)

This amendment to the resolve accomplishes the following.

1. It directs the State Board of Education to adopt emergency rules by October 31, 2008 and to file provisionally adopted rules by December 31, 2008 to amend State Board of Education Rules Chapter 61 to ensure that an innovative model can be implemented as soon as funds are made available.
2. It directs the Commissioner of Education to recommend an increase in the debt ceiling effective in fiscal year 2011-12 to create a pool of available funds for the innovative model based on the criteria set forth in the resolve. It also specifies that funds used for the innovative model selected pursuant to this resolve may not impact the funds that would normally be used for new school construction projects that are prioritized and selected under the current guidelines set forth in the State Board of Education Rules Chapter 61.
3. It requires that, by December 31, 2008, the Department of Education recommend, and the State Board of Education select, a qualified applicant to implement the innovative model.

Enacted Law Summary

Resolve 2007, chapter 223 directs the Department of Education to recommend to the State Board of Education an innovative model of consolidated and integrated secondary and postsecondary education that includes facilities for a regional high school, a fully integrated career and technical high school, a public higher education center and centers of excellence that will provide industry-specific training. The resolve also accomplishes the following.

1. It directs the State Board of Education to adopt emergency rules by October 31, 2008 and to file provisionally adopted rules by December 31, 2008 to ensure that an innovative model can be implemented as soon as funds are made available.
2. It directs the Commissioner of Education to recommend an increase in the debt ceiling effective in fiscal year 2011-12 to create a pool of available funds for the innovative model and specifies that funds used for the innovative

Joint Standing Committee on Education and Cultural Affairs

model selected may not impact the funds that would normally be used for new school construction projects that are prioritized and selected under the current guidelines for major capital school construction.

3. It requires that a qualified applicant be selected by December 31, 2008 to implement the innovative model.

LD 2268 An Act To Implement the Recommendations of the Joint Standing Committee on Education and Cultural Affairs Regarding Review of the Maine State Museum Commission under the Government Evaluation Act and To Revise the Review Schedule

PUBLIC 560

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

This bill is the report of the Joint Standing Committee on Education and Cultural Affairs authorized under Title 3, section 955, subsection 4. It establishes the next date for reports of the cultural affairs agencies under the Government Evaluation Act. It adds a provision to the duties of the Maine State Museum Commission specifically authorizing the commission to designate a private nonprofit support organization to organize and foster support for the museum and its programs.

Enacted Law Summary

Public Law 2007, chapter 560 implements the recommendations of the Joint Standing Committee on Education and Cultural Affairs regarding the review of the cultural affairs agencies pursuant to the Government Evaluation Act. It adds a provision to the duties of the Maine State Museum Commission specifically authorizing the commission to designate a private nonprofit support organization to organize and foster support for the museum and its programs. It also establishes the next date for reports of the cultural affairs agencies under the Government Evaluation Act.

LD 2272 An Act To Reduce the Percentage of the Cost of Local Schools Paid by the State from 55% to 49%

ONTP

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

This bill reduces from 55% to 49% the level of the state share of the total cost of funding public education from kindergarten to grade 12. The bill also directs that the amount of savings resulting from this reduction be used to provide funding for the State's foster care program, long-term care services and home-based care services and the Maine Community College System.

LD 2280 An Act To Clarify and Improve the Laws Governing the Formation of Regional School Units

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP A OTP-AM B ONTP C	

This bill is introduced by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2007, chapter 240, Part XXXX, section 47. The bill makes the following changes to clarify and improve the laws governing the formation of regional school units.