

**STATE OF MAINE**  
123<sup>RD</sup> 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 123<sup>rd</sup> Maine  
Legislature coming from the

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

May 2008

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

**LD 123      Resolve, To Support the Inclusion of Labor Education at Maine Public  
Institutions of Higher Education**

**RESOLVE 210**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM MAJ ONTP MIN	H-908 H-964 SUTHERLAND

The purpose of the bill, a concept draft pursuant to Joint Rule 208, is to establish a center within the University of Maine System that would offer labor education and policy development for students and community organizations.

**Committee Amendment "C" (H-908)**

This amendment, which is the majority report of the Joint Standing Committee on Education, removes the appropriation from the bill, changes the bill to a resolve and provides that the Legislature supports the endorsement of the Chancellor of the University of Maine System of the concept of the establishment of a labor center at the University of Southern Maine. This center would draw on knowledge from a number of different fields of study and offer labor education and policy development, including, but not limited to, courses in the history and role of working people and the labor movement and training and policy workshops on topics such as workers' compensation, unemployment insurance and labor law, to students and community organizations. The amendment also provides that the Legislature endorses the recommendation of the faculty of the University of Southern Maine that a labor center be established at the University of Southern Maine using existing budgeted resources of the University of Maine System.

**House Amendment "B" (H-964)**

This amendment strikes the provisions of Committee Amendment "C" that support the establishment of a labor center and instead expresses the support of the Legislature for the inclusion of labor education at Maine public institutions of higher education.

**Enacted Law Summary**

Resolve 2007, chapter 210 provides that the Legislature supports the inclusion of labor education as part of a comprehensive course offering at all Maine public institutions of higher education.

**LD 196      An Act To Modify the Maine Learning Results System**

**ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to enact several modifications to the State's system of learning results established in the education laws, the Maine Revised Statutes, Title 20-A, chapter 222.

**LD 672      Resolve, To Study the Scientific Research Support Capability of the Maine  
State Museum**

**RESOLVE 220**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	S-403 S-671 ROTUNDO

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LD 672 makes ongoing General Fund appropriations of \$62,754 in fiscal year 2007-08 and \$87,747 in fiscal year 2008-09 to the Maine State Museum for one Museum Specialist III position beginning October 1, 2007 in order to allow 2 half-time Ph.D. scientists currently sharing one full-time position to both work full-time.

### **Committee Amendment "B" (S-403)**

This amendment changes the start date for funding for the Museum Specialist III position from October 1, 2007 to August 1, 2008 and changes the appropriations amounts accordingly.

### **Senate Amendment "A" (S-671)**

This amendment strikes the bill and replaces it with a resolve that requires the Maine State Museum Commission to study economical methods for properly maintaining state-owned natural science collections in the future and to report the results of this study to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by March 1, 2009. This amendment also provides that the joint standing committee is authorized to introduce legislation to the First Regular Session of the 124th Legislature.

### **Enacted Law Summary**

Resolve 2007, chapter 220 requires the Maine State Museum Commission to study economical methods for properly maintaining state-owned natural science collections in the future and to report the results of this study to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by March 1, 2009. The resolve also provides that the joint standing committee is authorized to introduce legislation to the First Regular Session of the 124th Legislature.

### **LD 1041 An Act To Improve the Essential Programs and Services Funding Formula**

**ACCEPTED  
REPORT A (ONTP)**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to improve various aspects of the funding formula for local schools contained in the Essential Programs and Services Funding Act.

### **LD 1152 An Act To Improve Public Education in Maine**

**ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the education statutes to improve public education. The bill proposes to change:

1. The system of learning results, established in the Maine Revised Statutes, Title 20-A, chapter 222, to improve elementary and secondary public education in the State by advancing educational equity, reinforcing accountability and promoting the assessment of student learning;
2. The Essential Programs and Services Funding Act, established in Title 20-A, chapter 606-B, to ensure the

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provision of adequate educational resources for all students to meet the standards in the 8 content standard subject areas of the system of learning results; and

3. The Child Development Services System, as defined in Title 20-A, section 7001, subsection 1-A, to ensure the provision of child find activities, early intervention services and free, appropriate public education services to eligible children as required by federal law and state statutes, including the provisions of Title 20-A, chapters 301 and 303.

### **LD 1426 An Act To Enhance the Prekindergarten Experience for Maine Children**

**ONTP**

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

This bill requires the Department of Education to develop standards for all prekindergarten early childhood care and preschool education programs developed by school administrative units. The standards are designed to ensure meaningful collaboration with existing community-based child care providers and early care and education providers and include an analysis of the effects of such programs on existing programs. The standards will also ensure uniformity of standards relating to class sizes, adult to child ratios, teacher and assistant teacher qualifications, curricula and instruction, student screening and assessment, nutrition and physical environment, access to outdoor play areas and family involvement and support services.

### **LD 1932 An Act To Amend the Laws Regarding School Funding**

**VETOED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWMAN	OTP-AM MAJ OTP-AM MIN	S-467 S-554 DAMON

The bill amends the laws regarding school funding to address and correct school funding issues that present barriers to the implementation of school reorganization.

#### **Committee of Conference Amendment "A" (S-467)**

This unanimous committee of conference amendment replaces the bill and incorporates Committee Amendment "A" (S-410) as amended by House Amendment "F" to Committee Amendment "A" (H-718) and House Amendment "E" to Committee Amendment "A" (H-717) and House Amendment "E" (H-719) to the bill. This amendment differs from the listed amendments in 2 ways. It removes the delay of the budget referendum process included in Committee Amendment "A" and it further refines the population density factor exception in House Amendment "F" to Committee Amendment "A".

This amendment includes the following from Committee Amendment "A" (S-410).

1. It clarifies the authorization provided to regional planning committees to negotiate a cost-sharing agreement for those costs of a proposed regional school unit that are in addition to the local contribution required pursuant to the Maine Revised Statutes, Title 20-A, section 15690.

2. It repeals a cross-reference to the unit of law that is repealed in the bill regarding the requirement that each municipality that is a member of a new regional school unit contribute a minimum of 2 mills of the municipality's property fiscal capacity to the total cost of education of the new regional school unit.

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3. It includes language inadvertently left out of the bill regarding the requirement that the reorganization plan include a process for amending the cost-sharing formula.
4. It clarifies the roles of the municipal officers and the school committee for municipal school units whose municipal charters give authority to approve the school budget to the municipal officers and establishes the requirements for calling a budget meeting and the procedures for the budget meeting.
5. It clarifies the relationship between a regional school unit board and a local school that seeks to raise additional funds for an elementary school or a secondary school that is owned or managed by the member municipality. The amendment also removes 2 references to "elementary" schools in the school closure provisions to clarify that secondary schools are also subject to these requirements.
6. It permits the Commissioner of Education to authorize so-called "doughnut hole" school units that have 1,200 or fewer students and no other available reorganization partners to form a regional school unit that serves at least 1,000 students if these isolated, rural school units meet certain criteria.
7. It clarifies the assumption of existing debt that is transferred from an original education unit to a new regional school unit that is formed after July 1, 2008.
8. It provides regional school unit boards with the legal authority to receive and spend state and local funds, including funds for the election of regional school unit board members and to hire a superintendent prior to the operational date of the new regional school unit on July 1, 2009.

This amendment includes the following from House Amendment "E" to Committee Amendment "A" (H-717).

1. Part B of this amendment changes the deadline by which a referendum must be held to January 15, 2009 and changes dates that are linked to the referendum date by the same amount of time.
2. Part C of this amendment authorizes regional school unions as an alternative to the regional school unit method of school reorganization. A regional school union must perform certain core functions, which include employment of a superintendent, performance of all business functions, special education administration, transportation administration, adoption of a core curriculum and all state and federal reporting. A regional school union is formed in the same manner as a regional school unit by means of a reorganization plan prepared by a reorganization planning committee, with approval of the Commissioner of Education and approval at a referendum. Regional school unions are subject to the same requirements as regional school units with respect to minimum numbers of students, exceptions to minimum numbers of students, timelines for submission of reorganization plans, operational date and applicable penalties. School administrative units that form a regional school union become "local educational units" with no further responsibility for the administrative functions, which are taken over by the regional school union.
3. It also requires that a budget validation referendum be conducted to approve the budget for a regional school union.

This amendment includes the following from House Amendment "E" to the bill (H-719).

1. It enacts into law provisions regarding reorganization of regional school units. The new provisions are similar to the Maine Revised Statutes, Title 20-A, former sections 1403, 1405 and 1406 and allow the dissolution of regional school units, the withdrawal from a regional school unit by a municipality and the transfer by a municipality out of one regional school unit into another. The amendment includes provisions that formerly applied in this area of law authorizing the State Board of Education to review decisions of the Commissioner of Education and to make rules concerning the reorganization of the regional school units.

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2. It clarifies that the procedures set forth for withdrawal from a regional school unit are available to a municipality prior to the formation of the regional school unit.
3. It also makes technical corrections to align the employment and collective bargaining provisions of the bill, which apply in the event of dissolution of a regional school unit or withdrawal or transfer of a single municipality from a regional school unit, with the employment and collective bargaining provisions enacted in Public Law 2007, chapter 240, Part XXXX and codified in the Maine Revised Statutes, Title 20-A, sections 1463 and 1464.

This amendment includes the provision from House Amendment "F" to Committee Amendment "A" (H-718) that allows a state-approved unit of school administration that was responsible for operating public schools prior to the reorganization of school administrative units pursuant to the Maine Revised Statutes, Title 20-A, chapter 103-A to serve fewer than 1,200 students if the area it serves has fewer than 50 residents per square mile. This amendment differs from House Amendment "F" to Committee Amendment "A" by refining the population density exception to require the Commissioner of Education to lower the 1,200-student requirement when the commissioner determines that the number is impractical.

### **Senate Amendment "D" (S-554)**

This amendment removes the emergency preamble and emergency clause.

### **LD 1944 An Act Regarding the Application of Term Limits for the State Board of Education**

**PUBLIC 528**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH	OTP-AM	H-745

This bill provides that if a person appointed to fill a vacancy on the State Board of Education serves more than 2 1/2 years of an unexpired term, that service counts as one term for purposes of the limitation on terms imposed on board members. It also clarifies that the limitation on terms imposed on members of the State Board of Education applies to terms served by current board members except that if a current board member's service is in excess of that permitted by the limitation on terms, that member may finish the member's term.

### **Committee Amendment "A" (H-745)**

This amendment clarifies that the term of office for a member of the State Board of Education begins when the member is sworn into office.

### **Enacted Law Summary**

Public Law 2007, chapter 528 provides that if a person appointed to fill a vacancy on the State Board of Education serves more than 2 1/2 years of an unexpired term, that service counts as one term for purposes of the limitation on terms imposed on board members. The law also clarifies that the limitation on terms imposed on members of the State Board of Education applies to terms served by current board members except that if a current board member's service is in excess of that permitted by the limitation on terms, that member may finish the member's term. The law further clarifies that the term of office for a member of the State Board of Education begins when the member is sworn into office.

# Joint Standing Committee on Education and Cultural Affairs

LD 1949    **Resolve, Regarding Special Education Evaluations**

**RESOLVE 158  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM MAJ ONTP MIN	H-699 H-722    NORTON

This resolve directs the Department of Education to amend its rules governing special education to provide a deadline of 45 school days for the completion of an evaluation.

### **Committee Amendment "A" (H-699)**

This amendment, which is the majority report, incorporates a fiscal note.

### **House Amendment "A" (H-722)**

This amendment adds an emergency preamble and emergency clause to the resolve.

### **Enacted Law Summary**

Resolve 2007, chapter 158 directs the Department of Education to amend its rules governing special education to provide a deadline of 45 school days for the completion of an evaluation.

Resolve 2007, chapter 158 was enacted as an emergency measure effective March 21, 2008.

LD 1973    **An Act To Improve the Compliance and Accountability of the Child  
Development Services System**

**PUBLIC 530**

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

This bill requires the Department of Education to submit quarterly reports to advisory groups about Child Development Services System regional sites that are under a corrective action plan and about regional sites for whose operations the Department of Education has assumed temporary responsibility, with the reports describing any progress or slippage by individual regional sites in meeting compliance requirements. Under this bill, the Maine Advisory Council for the Education of Children with Disabilities may continue to serve as both the state interagency coordinating council and the state advisory panel.

### **Enacted Law Summary**

Public Law 2007, chapter 530 requires the Department of Education to submit quarterly reports to advisory groups about Child Development Services System regional sites that are under a corrective action plan and about regional sites for whose operations the Department of Education has assumed temporary responsibility, with the reports describing any progress or slippage by individual regional sites in meeting compliance requirements. Under this law, the Maine Advisory Council for the Education of Children with Disabilities may continue to serve as both the state interagency coordinating council and the state advisory panel.

# Joint Standing Committee on Education and Cultural Affairs

LD 1993    **Resolve, Regarding Enhancement of Maine's Cultural Assets**

**RESOLVE 182**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	S-478

This resolve establishes the Commission To Review the Accountability of State Cultural Agencies and directs the commission to submit its report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by November 5, 2008.

### **Committee Amendment "A" (S-478)**

This amendment replaces the resolve. It directs the Maine State Cultural Affairs Council to review its statutory charge and identify ways to strengthen the council's visibility, expand citizen participation and improve the delivery of services. The council is required to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 9, 2009.

### **Enacted Law Summary**

Resolve 2007, chapter 182 directs the Maine State Cultural Affairs Council to review its statutory charge and identify ways to strengthen the council's visibility, expand citizen participation and improve the delivery of services. The council is required to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 9, 2009.

LD 1997    **An Act To Fully Fund School Breakfast from Kindergarten to Grade 12**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	S-491

This bill requires public schools to provide all children who are eligible for free and reduced-price meals under the National School Lunch Program with a meal that meets the requirements of the federal School Breakfast Program at no cost to the student and requires the State to provide the funding for the costs of the program that are not reimbursed by the Federal Government. This bill includes an allocation from the Fund for a Healthy Maine for the costs to the State in fiscal year 2008-09 and adds the school breakfast program to the health-related initiatives that are eligible to receive funds from the Fund for a Healthy Maine.

### **Committee Amendment "A" (S-491)**

This amendment clarifies that the State pays the cost of breakfast now paid by students eligible for a reduced-price breakfast for those schools that choose to provide breakfast. It also replaces the appropriations and allocations section to reflect the intent of the bill.

While this bill died on adjournment, the provisions of the bill as amended by this committee amendment, were enacted as Part III of Public Law 2007, chapter 539, the supplemental budget bill.

# Joint Standing Committee on Education and Cultural Affairs

**LD 1998 An Act To Provide Accessible Higher Education Financial Assistance for  
Maine Families**

**PUBLIC 520  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	S-447

This bill amends certain provisions of the Finance Authority of Maine's existing authority to finance education loans to ensure the ability of the Finance Authority of Maine to originate such loans.

### **Committee Amendment "A" (S-447)**

This amendment allows the Finance Authority of Maine to purchase loans made by out-of-state lenders under the Federal Family Education Loan Program to Maine students.

### **Enacted Law Summary**

Public Law 2007, chapter 520 amends certain provisions of the Finance Authority of Maine's existing authority to finance education loans to ensure the ability of the Finance Authority of Maine to originate such loans. The law also allows the Finance Authority of Maine to purchase loans made by out-of-state lenders under the Federal Family Education Loan Program to Maine students.

Public Law 2007, chapter 520 was enacted as an emergency measure effective March 27, 2008.

**LD 2025 An Act To Provide Degree-granting Authority to the Landing School of  
Boatbuilding and Design**

**P & S 40  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CONNOR	OTP-AM	H-759

This bill authorizes the Landing School of Boatbuilding and Design to confer the degree of Associate Degree in Applied Science upon students in accordance with the Maine Revised Statutes, Title 20-A, section 10704 based on the recommendation of the State Board of Education. The bill is an emergency because the school needs the authorization to initiate the national accreditation process with the United States Department of Education.

### **Committee Amendment "A" (H-759)**

This amendment corrects an error in the emergency preamble of the bill.

### **Enacted Law Summary**

Private and Special Law 2007, chapter 40 authorizes the Landing School of Boatbuilding and Design to confer the degree of Associate Degree in Applied Science upon students in accordance with the Maine Revised Statutes, Title 20-A, section 10704 based on the recommendation of the State Board of Education.

Private and Special Law 2007, chapter 40 was enacted as an emergency measure effective March 31, 2008.

# Joint Standing Committee on Education and Cultural Affairs

LD 2026 **Resolve, To Reimburse School Administrative District No. 11 for the State Share of Retirement Contributions Paid in Error**

RESOLVE 217

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM	H-702 S-677 ROTUNDO

This resolve requires the Commissioner of Education to make a state subsidy adjustment to School Administrative District No. 11 for contributions to the Maine Public Employees Retirement System that should have been paid by the Department of Education from state funds but were instead paid in error by School Administrative District No. 11 from local funds.

### Committee Amendment "A" (H-702)

This amendment specifies that the reimbursement to School Administrative District No. 11 for retirement contributions it made that should have been paid by the State must be made by the Commissioner of Administrative and Financial Services from an appropriation for that purpose, rather than by the Commissioner of Education through a subsidy adjustment as proposed in the resolve. This amendment also adds an appropriations and allocations section.

### Senate Amendment "A" (S-677)

This amendment replaces the resolve and provides that the Governor must include in the biennial budget bill for the 2010-2011 biennial budget funding in the amount of \$90,788 for the reimbursement to School Administrative District No. 11 for the State's share of retirement contributions paid by the school district in error to be offset by a reduction in the fiscal year 2009-10 appropriation for teacher retirement.

### Enacted Law Summary

Resolve 2007, chapter 217 provides that the Governor must include in the biennial budget bill, for the 2010-2011 biennial budget, funding in the amount of \$90,788 for the reimbursement to School Administrative District No. 11 for the State's share of retirement contributions paid by the school district in error to be offset by a reduction in the fiscal year 2009-10 appropriation for teacher retirement.

LD 2027 **Resolve, To Examine the Information, Training and Support Services Provided to Parents of Children with Disabilities**

RESOLVE 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD	OTP-AM	H-760

This bill creates an ombudsman program to provide services to children and families in the State regarding special education programs and special education services and to provide support to students with disabilities and their parents, guardians and educators.

### Committee Amendment "A" (H-760)

This amendment strikes the bill and replaces it with a resolve that directs the Maine Developmental Disabilities Council to establish a work group to examine the information, training and support services that are currently available to the parents of children with disabilities regarding special education programs and services, including the extent to which ombudsman services would be beneficial to the parents of children with disabilities. The Maine Developmental Disabilities Council shall convene the work group and provide all staffing assistance and funding necessary to carry out the duties of the work group. The Maine Developmental Disabilities Council shall submit a

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report no later than January 31, 2009 to the joint standing committee of the Legislature having jurisdiction over education matters, which may introduce a bill to the 124th Legislature on matters relating to the recommendations of the work group.

### **Enacted Law Summary**

Resolve 2007, chapter 171 directs the Maine Developmental Disabilities Council to establish a work group to examine the information, training and support services that are currently available to the parents of children with disabilities regarding special education programs and services, including the extent to which ombudsman services would be beneficial to the parents of children with disabilities. The resolve provides that the Maine Developmental Disabilities Council shall convene the work group, shall provide all staffing assistance and funding necessary to carry out the duties of the work group, and shall submit a report no later than January 31, 2009 to the joint standing committee of the Legislature having jurisdiction over education matters, which may introduce a bill to the 124th Legislature on matters relating to the recommendations of the work group.

### **LD 2028 An Act To Clarify the Authority of the Board of Directors of Regional School Unit No. 1**

**P & S 42**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY	OTP-AM MAJ ONTP MIN	H-912

This bill enacts a mechanism to equalize the tax burden for education across municipalities authorized to regionalize in the lower Kennebec River area pursuant to Private and Special Law 2007, chapter 25. The bill also authorizes limiting choice for students from municipalities that join the district after the initial date of consolidation.

### **Committee Amendment "A" (H-912)**

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes and replaces the bill to clarify the authority of the board of directors of Regional School Unit No. 1 to negotiate and enter into a tuition contract with the Georgetown School Committee for students from the Town of Arrowsic to continue to have the opportunity to attend the Georgetown Central School.

### **Enacted Law Summary**

Private and Special Law 2007, chapter 42 clarifies the authority of the board of directors of Regional School Unit No. 1 to negotiate and enter into a tuition contract with the Georgetown School Committee for students from the Town of Arrowsic to continue to have the opportunity to attend the Georgetown Central School.

### **LD 2043 An Act To Protect Student Athletes**

**ONTP**

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

This bill, modeled after Texas legislation, requires the development and adoption of an extracurricular activity safety training course by the Department of Education to be used in all public and certain private schools in Maine. It requires certain school personnel to take the safety training course, which includes training in the recognition of potentially catastrophic injuries, emergency response and cardiopulmonary resuscitation. It also requires schools to provide to students participating in extracurricular athletic activities training related to recognizing the symptoms of certain injuries and the risks of using dietary supplements to enhance athletic performance.

# Joint Standing Committee on Education and Cultural Affairs

LD 2062 An Act Regarding Education Laws

PUBLIC 572

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON	OTP-AM	H-780 H-801 RINES S-496 BOWMAN

Part A of this bill accomplishes the following.

1. It amends the school transportation statutes to clarify that public preschool students are included in the group of elementary students for whom school administrative units are required to provide transportation.
2. It makes several changes in the postsecondary educational institution statutes, including adding the certification of advanced studies to the list of degrees that may be conferred by postsecondary educational institutions, updating references to "junior college" to "community college," adding the Maine Maritime Academy to the list of public institutions not included in the definition of "educational institution" and clarifying the postsecondary degree-granting approval process and the State Board of Education's role in that process.
3. It specifically authorizes the State Board of Education to advise the Commissioner of Education and the Legislature on matters pertaining to education in elementary and secondary schools and post-secondary educational institutions.
4. It repeals the statutory provisions relating to the Maine State Commission for Higher Education Facilities, whose duties were assumed by the Maine Health and Higher Educational Facilities Authority.
5. It clarifies that the school nurse consultant within the Department of Education is jointly supervised by the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services and the Policy Director of Special Services within the Department of Education.

Part B of this bill eliminates the sunsets on the transition periods and makes the centralization of the fiscal, data and human resources of the Child Development Services System permanent to achieve a more efficient and effective Child Development Services System delivery and governance system.

## **Committee Amendment "A" (H-780)**

This amendment provides that any adoption or amendment of a rule by the Department of Education that concerns the transportation of public preschool students is a major substantive rule and subject to legislative review.

## **House Amendment "A" (H-801)**

This amendment is being presented on behalf of the Committee on Bills in the Second Reading to fix a technical error.

## **Senate Amendment "A" (S-496)**

This amendment makes consistent language contained in the Maine Revised Statutes, Title 20-A and Title 29-A regarding the adoption of rules concerning the transportation of public preschool students.

## **Enacted Law Summary**

Public Law 2007, chapter 572 accomplishes the following.

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1. It amends the school transportation statutes to clarify that public preschool students are included in the group of elementary students for whom school administrative units are required to provide transportation.
2. It provides that any adoption or amendment of a rule by the Department of Education that concerns the transportation of public preschool students is a major substantive rule and subject to legislative review.
3. It makes several changes in the postsecondary educational institution statutes, including adding the certification of advanced studies to the list of degrees that may be conferred by postsecondary educational institutions, updating references to "junior college" to "community college," adding the Maine Maritime Academy to the list of public institutions not included in the definition of "educational institution" and clarifying the postsecondary degree-granting approval process and the State Board of Education's role in that process.
4. It specifically authorizes the State Board of Education to advise the Commissioner of Education and the Legislature on matters pertaining to education in elementary and secondary schools and post-secondary educational institutions.
5. It repeals the statutory provisions relating to the Maine State Commission for Higher Education Facilities, whose duties were assumed by the Maine Health and Higher Educational Facilities Authority.
6. It clarifies that the school nurse consultant within the Department of Education is jointly supervised by the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services and the Policy Director of Special Services within the Department of Education.
7. It eliminates the sunsets on the transition periods and makes the centralization of the fiscal, data and human resources of the Child Development Services System permanent to achieve a more efficient and effective Child Development Services System delivery and governance system.

**LD 2082    An Act To Preserve Successful Historic Neighborhood Schools**

**PUBLIC 578  
EMERGENCY**

Sponsor(s)

HINCK

Committee Report

OTP-AM

Amendments Adopted

H-816

This bill allows the Public Utilities Commission and the State Board of Education to grant waivers from mandatory energy efficiency standards for building construction and renovation on a case-by-case basis for the renovation of historic school buildings. Under the bill, the Public Utilities Commission may grant a waiver from the mandatory energy standards for commercial construction to a local school authority that can demonstrate that a proposed renovation of a historic school building is in substantial compliance with the energy efficiency standards or that it provides substantial energy efficiency, education, social or environmental benefits over alternative proposals. The State Board of Education may grant a waiver from its school energy efficiency standards rules to a local school authority that has obtained a waiver from the mandatory energy standards for commercial construction from the Public Utilities Commission. The bill also directs the State Board of Education to amend its rules governing school energy efficiency standards to allow for such a waiver.

### **Committee Amendment "A" (H-816)**

This amendment strikes and replaces the bill to allow the State Board of Education, in consultation with the Public Utilities Commission and the Executive Director of the State Historic Preservation Commission, to grant waivers from mandatory energy efficiency standards for building construction and renovation on a case-by-case basis for the substantial renovation of historic school buildings. Under the amendment, the State Board of Education shall grant a waiver from the mandatory energy standards for commercial construction to a local school authority that can demonstrate that the renovation of the historic school building would not compromise existing public health and

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safety requirements for school facilities and can demonstrate that 2 or more of the following circumstances exist:

1. The proposed renovation of the historic school building is in substantial compliance with the energy efficiency standards;
2. The proposed renovation of the historic school building provides substantial energy efficiency and also provides education, social or environmental benefits over alternative proposals; and
3. Adherence to the energy building standards would result in irreparable damage to the historic character of the historic school building.

The amendment also directs the State Board of Education to adopt or amend rules to allow for a waiver of the energy efficiency standards for the substantial renovation of a historic school building.

### **Enacted Law Summary**

Public Law 2007, chapter 578 allows the State Board of Education, in consultation with the Public Utilities Commission and the Executive Director of the State Historic Preservation Commission, to grant waivers from mandatory energy efficiency standards for building construction and renovation on a case-by-case basis for the substantial renovation of historic school buildings. Under the law, the State Board of Education shall grant a waiver from the mandatory energy standards for commercial construction to a local school authority that can demonstrate that the renovation of the historic school building would not compromise existing public health and safety requirements for school facilities and can demonstrate that 2 or more of the following circumstances exist:

1. The proposed renovation of the historic school building is in substantial compliance with the energy efficiency standards;
2. The proposed renovation of the historic school building provides substantial energy efficiency and also provides education, social or environmental benefits over alternative proposals; and
3. Adherence to the energy building standards would result in irreparable damage to the historic character of the historic school building.

The law also directs the State Board of Education to adopt or amend rules to allow for a waiver of the energy efficiency standards for the substantial renovation of a historic school building.

Public Law 2007, chapter 578 was enacted as an emergency measure effective April 8, 2008.

**LD 2083      Resolve, To Expand Access to Foreign Language Instruction in Maine Schools**

**RESOLVE 162  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM	H-733

This bill allows teachers of modern and classical languages whose primary language is not English to retain certification while receiving support to pass the required Praxis test.

### **Committee Amendment "A" (H-733)**

This amendment replaces the provision of the resolve concerning modern and classical language teachers. It requires the State Board of Education to adopt routine technical rules concerning testing and certification for world language teachers to allow an individual whose first language is the target language that the individual teaches to renew that individual's targeted need certificate annually upon meeting certain requirements and to specify there is



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Resolve 2007, chapter 187 provides that final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a major substantive rule of the Department of Education and the State Board of Education, is authorized only if the following changes are made:

1. The proposed certificate for financial services managers is removed; and
2. The early childhood teaching endorsement is amended to establish eligibility for that endorsement for any person who was employed as a teacher in a prekindergarten or kindergarten to 3rd grade program in the State at any time between February 1, 2007 and February 1, 2008.

Resolve 2007, chapter 187 was enacted as an emergency measure effective April 8, 2008.

**LD 2122    Resolve, Regarding Legislative Review of Portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education**

**RESOLVE 174  
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a major substantive rule of the Department of Education.

**Enacted Law Summary**

Resolve 2007, chapter 174 provides that final adoption of portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a major substantive rule of the Department of Education, is authorized.

Resolve 2007, chapter 174 was enacted as an emergency measure effective March 31, 2008.

**LD 2123    Resolve, Regarding Legislative Review of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education and the State Board of Education**

**DIED BETWEEN  
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM   MAJ OTP-AM   MIN	H-869

This resolve provides for legislative review of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a major substantive rule of the Department of Education and the State Board of Education.

**Committee Amendment "B" (H-869)**

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that the provisionally adopted rule is authorized only if the rule is amended to include that, as a condition for approval for state funding, the applicant school administrative unit demonstrates that the proposed solution is equivalent to or better than other options after taking into consideration all resources and facilities within the region, including those that are reasonably available from other school administrative units.

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**LD 2131 An Act To Implement the Recommendations of the Legislative Youth Advisory Council with Respect to Educational and Organizational Matters**

**PUBLIC 679**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1049 FARRINGTON H-734

This bill allows the Legislative Youth Advisory Council to meet more than 6 times per year if those additional meetings are funded by outside funding sources approved by the Legislative Council and extends the biennial reporting date of the Legislative Youth Advisory Council from December 1st in each odd-numbered year to the first business day in February in each even-numbered year. The bill also amends the law governing the duties of school boards to allow, but not require, a school board to include a cocurricular honor contract as part of its districtwide code of conduct. The bill also directs the Commissioner of Education to adopt major substantive rules governing the minimum standards for cocurricular honor contracts if a school board chooses to include a cocurricular honor contract as part of the district's code of conduct.

**Committee Amendment "A" (H-734)**

This amendment allows the Legislative Youth Advisory Council to meet more than 6 times per year if the Executive Director of the Legislative Council determines that sufficient budgeted resources remain after paying all costs associated with the initial 6 meetings to pay any additional costs associated with any additional meetings. The amendment also strikes provisions in the bill requiring the Commissioner of Education to adopt rules establishing minimum standards for cocurricular honor contracts and replaces those provisions with more general guidelines for school boards regarding what may be included in cocurricular honor contracts should a school board decide to adopt such a contract.

**House Amendment "A" (H-1049)**

This amendment allows the Legislative Youth Advisory Council to meet up to an additional 3 times annually. It also adds an appropriations and allocations section.

**Enacted Law Summary**

Public Law 2007, chapter 679 allows the Legislative Youth Advisory Council to meet up to an additional 3 times annually. The law also provides that a school board may elect to adopt a cocurricular honor contract that specifies the behavior to be covered by the contract, the extent to which off-campus behavior is covered by the contract, the process for determining if behavior is in violation of the contract, and standards to ensure that the contract will be enforced consistently and fairly.

**LD 2136 Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation, a Major Substantive Rule of the Department of Education**

**RESOLVE 188  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ OTP-AM MIN	H-763 H-808 MARLEY

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-763)**

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This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that final adoption of the provisionally adopted major substantive rule is authorized contingent upon the Department of Education:

1. Amending the proposed rule by deleting the part of the rule pertaining to the determination of adverse effect for children 3 to 20 years of age and incorporating a definition for the term "adverse effect on educational performance" that comports with the definition that was recommended by a majority of the stakeholder group convened pursuant to Resolve 2007, chapter 138 to examine the federal and state rules and laws pertaining to the determination of adverse effect for children from 3 to 20 years of age;
2. Amending the proposed rule by deleting the part of the rule designated "4. Needs special education and related services"; and
3. Amending the proposed rule to establish provisions that require that an initial evaluation or a reevaluation of a child be conducted within 45 school days of receiving parental consent for the evaluation.

The amendment also directs the Commissioner of Education to:

1. Provide administrative guidance to local educational agencies, including intermediate educational units and school administrative units, that explains the importance of using assessments that are appropriate to identify any area of educational performance that may be negatively influenced by the child's disability when making a determination of adverse effect on educational performance for children from 3 to 20 years of age; and
2. Provide guidance to school administrative units clarifying that the content of the written notice provided to parents must be equivalent to the detailed summary and descriptions required by the former Department of Education Rule Chapter 101 provisions for the minutes of pupil evaluation team meetings.

### **House Amendment "A" (H-808)**

This amendment deletes the requirement that a definition for the term "adverse effect on educational performance" be added to the rule before the rule may be authorized.

### **Enacted Law Summary**

Resolve 2007, chapter 188 provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation, a major substantive rule of the Department of Education, is authorized contingent upon the Department of Education amending the proposed rule:

1. By deleting the part of the rule pertaining to the determination of adverse effect for children 3 to 20 years of age;
2. By deleting the part of the rule designated "4. Needs special education and related services"; and
3. To establish provisions that require that an initial evaluation or a reevaluation of a child be conducted within 45 school days of receiving parental consent for the evaluation.

The law also directs the Commissioner of Education to:

1. Provide administrative guidance to local educational agencies, including intermediate educational units and school administrative units, that explains the importance of using assessments that are appropriate to identify any area of educational performance that may be negatively influenced by the child's disability when making a determination of adverse effect on educational performance for children from 3 to 20 years of age; and
2. Provide guidance to school administrative units clarifying that the content of the written notice provided to parents must be equivalent to the detailed summary and descriptions required by the former Department of

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Education Rule Chapter 101 provisions for the minutes of pupil evaluation team meetings.

Resolve 2007, chapter 188 was enacted as an emergency measure effective April 8, 2008.

## LD 2174    **Resolve, Regarding Curriculum Requirements and Standards for Awarding a High School Diploma**

**RESOLVE 173**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON	OTP-AM	H-761

This bill amends standards for student assessment; basic school approval; the elementary, middle and secondary courses of study; the comprehensive program of study for the high school diploma; and the Department of Education diploma in order to more fully implement Maine's system of learning results.

### **Committee Amendment "A" (H-761)**

This amendment strikes the bill and replaces it with a resolve that directs the Commissioner of Education to establish a stakeholder group to examine the Maine Revised Statutes and Department of Education rules that pertain to the curriculum requirements and standards for awarding a high school diploma. The stakeholder group shall develop recommendations that demonstrate how students can meet graduation requirements using multiple pathways that include career and technical education programs.

The stakeholder group shall submit a report to the Commissioner of Education no later than November 28, 2008 that includes its findings, recommendations and any suggested changes to the Maine Revised Statutes or Department of Education rules that pertain to the curriculum requirements and standards for awarding a high school diploma. The commissioner shall report to the joint standing committee of the Legislature having jurisdiction over education matters by January 30, 2009 on the report submitted by the stakeholder group and on the status of rulemaking for Department of Education Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units and Department of Education Rule Chapter 127: Instructional Program, Assessment and Diploma Requirements.

### **Enacted Law Summary**

Resolve 2007, chapter 173 directs the Commissioner of Education to establish a stakeholder group to examine the Maine Revised Statutes and Department of Education rules that pertain to the curriculum requirements and standards for awarding a high school diploma. The resolve provides that the stakeholder group shall develop recommendations that demonstrate how students can meet graduation requirements using multiple pathways that include career and technical education programs.

The resolve also provides that the stakeholder group shall submit a report to the Commissioner of Education no later than November 28, 2008 that includes its findings, recommendations and any suggested changes to the Maine Revised Statutes or Department of Education rules that pertain to the curriculum requirements and standards for awarding a high school diploma. The commissioner shall report to the joint standing committee of the Legislature having jurisdiction over education matters by January 30, 2009 on the report submitted by the stakeholder group and on the status of rulemaking for Department of Education Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units and Department of Education Rule Chapter 127: Instructional Program, Assessment and Diploma Requirements.

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## 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

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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**

Sponsor(s)

Committee Report

Amendments Adopted

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**

Sponsor(s)

Committee Report

Amendments Adopted

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**

Sponsor(s)

Committee Report

Amendments Adopted

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.

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1. It provides that a kindergarten-to-grade-12 school administrative district that is reformulated as a regional school unit without dissolving the school administrative district may continue to use the same name and operate as the same legal entity; and it amends the definition of "school administrative unit" to clarify that community school districts and kindergarten-to-grade-8 school administrative districts that do not join a regional school unit may remain in operation after July 1, 2009. The current law reformulates all kindergarten-to-grade-12 school administrative districts as regional school units by July 1, 2009 but is silent on the ability of community school districts and kindergarten-to-grade-8 school administrative districts to remain operational after that date.
2. It changes the deadline by which a referendum must be held to January 30, 2009 and changes dates that are linked to the referendum date by the same amount of time. The current law governing the reorganization of school administrative units requires that a referendum must be held on a proposed reorganization on or before November 4, 2008.
3. It provides consistent language across the allocated and unallocated provisions in the law to clarify the budget referendum ballot question to be placed before the voters at a budget validation referendum vote.
4. It clarifies and amends the budget approval and validation process provisions to:
  - A. Increase the number of days from the legislative body meeting to the referendum validation from 10 days to 14 days;
  - B. Provide that absentee ballots may not be distributed until the day after the regional school unit budget meeting;
  - C. In the event that a regional school unit budget has not been approved and validated prior to the start of the fiscal year, authorize municipalities to levy taxes based on the most recent school budget approved at the regional school unit budget meeting until a budget is validated by voters; and
  - D. Eliminate the need for 2 separate ballot questions for the budget validation referendum vote and combine information on 2 votes into one document provided with the warrant for the referendum vote.
5. It clarifies the debt liability of the school administrative units that are members of a career and technical education region, including the disposition of debt incurred for a school construction or renovation project at a career and technical education region by the school administrative units that are members of the career and technical education region.
6. It clarifies the financial responsibility for the preservation of school choice in a new regional school unit when a member municipality continues to provide tuition for students to attend a school outside of the new regional school unit. The provision provides that the member municipality is responsible for providing appropriations for any additional expense above the sending regional school unit tuition rate for students who are educated outside of the regional school unit.
7. It clarifies the rights and obligations of regional school units concerning the reassignment of teachers and other employees of the regional school unit in the transitional period from the operational date of the regional school unit until the completion of negotiations for a regional school unit-wide collective bargaining agreement.
8. It replaces the so-called "53-86% penalty" for any school administrative unit that fails to approve a reorganization plan on or before January 30, 2009 and to implement that plan by July 1, 2009 with a penalty that provides that the school administrative unit's full-value education mill rate pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A is increased by 2% for the purpose of calculating the school administrative unit's required contribution to meet the local share of education costs established pursuant to Title 20-A, section 15688, subsection 3-A.

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9. It directs the Department of Education to conduct a review of the results of referenda votes on proposed reorganization plans and the status of the reorganization of school administrative units as regional school units consistent with the July 1, 2009 implementation timeline. It also directs the department to develop recommendations related to the circumstances and criteria under which the Commissioner of Education could grant a waiver to a school administrative unit that has not complied with the implementation timelines, including any necessary flexibility that would provide the commissioner with the authority to adjust the timelines for complying with the law, to waive penalties or to approve an alternative plan submitted by a reorganization planning committee. It further directs the department to clarify what happens if voters of an individual school administrative unit fail to approve a reorganization plan that results in the school administrative unit's not meeting the implementation timeline for reorganization.

**LD 2281    An Act To Amend the Laws Governing the Reorganization of School Administrative Units**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP    A OTP     B OTP-AM   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 the laws governing the formation of regional school units.

1. It provides an exemption for those regional school units in which the regional school unit board has approved a budget that proposes to spend less than 5% above the level of funding outlined in the essential programs and services funding model from the budget validation referendum process until the regional school unit board proposes a budget that meets or exceeds that funding level.
2. It provides an exemption for municipal school units from the budget validation referendum vote in cases in which the municipal charter defines roles and a process for developing and approving the school budget.
3. It provides an exemption for those municipal school units in which the school committee has approved a budget that proposes to spend less than 5% above the level of funding outlined in the essential programs and services funding model from the budget validation referendum process until the school committee proposes a budget that meets or exceeds that funding level.

**LD 2291    An Act To Amend Teacher Confidentiality Laws**

**PUBLIC 666**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWMAN	OTP-AM   MAJ OTP-AM   MIN	H-1024

This bill requires that the Department of Education report all denials, revocations, suspensions, surrenders and reinstatements of certification that are not under appeal or still subject to appeal to a national association of state directors of teacher education and certification.

**Committee of Conference Amendment "A" (H-1024)**

This committee of conference amendment incorporates Committee Amendment "A", which corrects a cross-reference in the bill. The amendment also provides that, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall review the laws in other states and jurisdictions related to the dissemination of

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confidential information pertaining to denials, revocations, suspensions, surrenders and reinstatements of teaching certificates to applicants for teacher certification or recertification and for professional licenses or credentials for other comparable professions. The Office of Policy and Legal Analysis shall also review the apparent conflict between the statutory provisions set forth in the Maine Revised Statutes, Title 20-A, section 6103 and Title 22, section 4011-A and submit a report to the Joint Standing Committee on Education and Cultural Affairs.

### **Enacted Law Summary**

Public Law 2007, chapter 666 requires that the Department of Education report all denials, revocations, suspensions, surrenders and reinstatements of certification that are not under appeal or still subject to appeal to a national association of state directors of teacher education and certification. The law also provides that the Office of Policy and Legal Analysis conduct a review of the following:

1. The laws in other states and jurisdictions related to the dissemination of confidential information pertaining to denials, revocations, suspensions, surrenders and reinstatements of teaching certificates to applicants for teacher certification or recertification and for professional licenses or credentials for other comparable professions; and
2. The apparent conflict between the statutory provisions set forth in the Maine Revised Statutes, Title 20-A, section 6103 and Title 22, section 4011-A.

**LD 2299    An Act To Make Technical Corrections in the Laws Regarding Funding  
Adult Education Programs and the Closure of an Elementary School in a  
School District**

**PUBLIC 599  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

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 correct inconsistencies in the laws governing the reorganization of school administrative units.

1. It corrects inconsistencies in the laws pertaining to the authority of school administrative units to raise and appropriate funds for adult education programs.
2. It replaces provisions that were repealed pursuant to Public Law 2007, chapter 240, Part XXXX that are related to the closure of an elementary school within a school administrative district or a community school district and establishes that these provisions are retroactive to June 7, 2007.

### **Enacted Law Summary**

Public Law 2007, chapter 599, makes the following changes to correct inconsistencies in the laws governing the reorganization of school administrative units.

1. It corrects inconsistencies in the laws pertaining to the authority of school administrative units to raise and appropriate funds for adult education programs.
2. It replaces provisions that were repealed pursuant to Public Law 2007, chapter 240, Part XXXX that are related to the closure of an elementary school within a school administrative district or a community school district and establishes that these provisions are retroactive to June 7, 2007.

Public Law 2007, chapter 599 was enacted as an emergency measure effective April 11, 2008.

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**LD 2300 An Act To Facilitate the Provision of Educational Loans for Maine Students and Families**

**PUBLIC 665  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWMAN	OTP-AM	S-584 S-662 ROTUNDO

This bill allows the Finance Authority of Maine to issue student loan bonds for the origination or purchase of federally guaranteed student loans secured by a capital reserve fund.

### **Committee Amendment "A" (S-584)**

This amendment incorporates a fiscal note.

### **Senate Amendment "A" (S-662)**

This amendment provides that the Finance Authority of Maine may not create or establish any capital reserve fund under the provisions of the Maine Revised Statutes, Title 20-A, section 11496-A after June 30, 2009. This amendment also removes the provision that required the Governor to pay directly from the State Contingent Account to the capital reserve fund the amount certified by the authority as necessary to restore the reserve fund to the level required under section 11496-A, subsection 3.

### **Enacted Law Summary**

Public Law 2007, chapter 665 allows the Finance Authority of Maine to issue student loan bonds for the origination or purchase of federally guaranteed student loans secured by a capital reserve fund. The law permits the authority to create or establish any capital reserve fund by June 30, 2009.

Public Law 2007, chapter 665 was enacted as an emergency measure effective April 18, 2008.

**LD 2303 An Act To Implement the Recommendations of the Alternative Education Programs Committee**

**PUBLIC 667**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		S-647 MARTIN

This bill is the unanimous report of the Joint Standing Committee on Education and Cultural Affairs. It adds definitions for "alternative education program," "alternative learning" and "at-risk student" to the definitions section in the Maine Revised Statutes, Title 20-A. It amends sections of statute to consistently use defined terms. It also establishes the Commission to Study Alternative Education Programs with directives to continue the work of the committee established in Resolve 2007, chapter 124.

### **Senate Amendment "A" (S-647)**

This amendment removes provisions to reestablish and direct the work of the Commission To Study Alternative Education Programs.

### **Enacted Law Summary**

Public Law 2007, chapter 667 adds definitions for "alternative education program," "alternative learning" and "at-risk student" to the definitions section in the Maine Revised Statutes, Title 20-A. It amends sections of statute to consistently use the defined terms.

# Joint Standing Committee on Education and Cultural Affairs

LD 2314 An Act To Amend School Funding Laws

DIED ON  
ADJOURNMENT

Sponsor(s)

NORTON  
ROTUNDO

Committee Report

Amendments Adopted

This bill amends the laws regarding school funding to address and correct school funding issues that present barriers to the implementation of school administration reorganization.

LD 2323 An Act To Remove Barriers to the Reorganization of School  
Administrative Units

PUBLIC 668

Sponsor(s)

BOWMAN

Committee Report

Amendments Adopted

H-1041 FARRINGTON

This bill makes the following changes to the laws governing the reorganization of school administrative units.

1. It corrects a cross-reference for the cost center summary budget format and the budget validation referendum process that school administrative districts and community school districts must comply with for budgets developed after January 1, 2008.
2. It articulates, without limitation, the core functions for which a regional school unit is responsible.
3. It provides regional school unit boards with the legal authority to receive and spend state and local funds, including funds for the election of regional school unit board members and to hire a superintendent prior to the operational date of the new regional school unit on July 1, 2009.
4. It clarifies the "Method B" apportionment process of weighted votes for regional school unit boards.
5. It provides for the election and staggered terms of the initial regional school unit board.
6. It replaces the law authorizing the formation of a local school committee for a member municipality and provides greater guidance in delegating functions and responsibilities to local school committees.
7. It clarifies the relationship between a regional school unit board and a local school committee that seeks to raise additional funds for an elementary school or a secondary school that is owned or managed by the member municipality.
8. It clarifies the authorization provided to regional planning committees to negotiate a cost-sharing agreement for those costs of a proposed regional school unit that are in addition to the local contribution required pursuant to the Maine Revised Statutes, Title 20-A, section 15690.
9. It clarifies the roles of the municipal officers and the school committee for municipal school units whose municipal charters give authority to approve the school budget to the municipal officers.
10. It establishes the requirements for calling a budget meeting and the procedures for the budget meeting.
11. It clarifies the assumption of existing debt that is transferred from an original education unit to a new regional

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school unit that is formed after July 1, 2008.

12. It removes references to "elementary" schools in the school closure provisions to clarify that secondary schools are also subject to these requirements.
13. It authorizes a municipal school committee to expand its membership from 5 members to as many as 7 members.
14. It clarifies the provisions governing tuition when there is no elementary school or no secondary school in a school administrative unit.
15. It clarifies the content and timing of the audit provisions.
16. It repeals a unit of law, and corrects a cross-reference to it, regarding the requirement that each municipality that is a member of a new regional school unit contribute a minimum of 2 mills of the municipality's property fiscal capacity to the total cost of education of the new regional school unit.
17. It grandfathers the special education adjustment for so-called minimum subsidy receivers.
18. It permits the Commissioner of Education to authorize so-called "doughnut hole" school units that have 1,200 or fewer students and no other available reorganization partners to form a regional school unit that serves at least 1,000 students if these isolated, rural school units meet certain criteria.
19. It authorizes the Commissioner of Education to approve plans for alternative organizational structures under the school reorganization law. To approve a plan for an alternative organizational structure, the commissioner must find that the plan will satisfy the purposes of the school reorganization law including: consolidation of system administration; consolidation of administration of special education, transportation and business functions; adoption of a core curriculum; and adoption of consistent school policies, school calendars and collective bargaining agreements.

### **House Amendment "G" (H-1041)**

This amendment strikes the emergency preamble and emergency clause and incorporates the following changes to clarify and improve the laws governing the formation of regional school units or alternative organizational structures.

1. It provides that a kindergarten-to-grade-12 school administrative district that is reformulated as a regional school unit without dissolving the school administrative district may continue to use the same name and operate as the same legal entity; and it amends the definition of "school administrative unit" to clarify that community school districts and kindergarten-to-grade-8 school administrative districts that do not join a regional school unit may remain in operation after July 1, 2009. The current law reformulates all kindergarten-to-grade-12 school administrative districts as regional school units by July 1, 2009 but is silent on the ability of community school districts and kindergarten-to-grade-8 school administrative districts to remain operational after that date.
2. It changes the deadline by which a referendum must be held to January 30, 2009 and changes dates that are linked to the referendum date by the same amount of time. The current law governing the reorganization of school administrative units requires that a referendum must be held on a proposed reorganization on or before November 4, 2008.
3. It provides consistent language across the allocated and unallocated provisions in the law to clarify the budget referendum ballot question to be placed before the voters at a budget validation referendum vote.
4. It clarifies and amends the budget approval and validation process provisions to:

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- A. Increase the number of days from the legislative body meeting to the referendum validation from 10 days to 14 days;
  - B. Provide that absentee ballots may not be distributed until the day after the regional school unit budget meeting;
  - C. In the event that a regional school unit budget has not been approved and validated prior to the start of the fiscal year, authorize municipalities to levy taxes based on the most recent school budget approved at the regional school unit budget meeting until a budget is validated by voters; and
  - D. Eliminate the need for 2 separate ballot questions for the budget validation referendum vote and combine information on 2 votes into one document provided with the warrant for the referendum vote.
5. It clarifies the debt liability of the school administrative units that are members of a career and technical education region, including the disposition of debt incurred for a school construction or renovation project at a career and technical education region by the school administrative units that are members of the career and technical education region.
  6. It clarifies the financial responsibility for the preservation of school choice in a new regional school unit when a member municipality continues to provide tuition for students to attend a school outside of the new regional school unit. The provision provides that the member municipality is responsible for providing appropriations for any additional expense above the sending regional school unit tuition rate for students who are educated outside of the regional school unit.
  7. It clarifies the rights and obligations of regional school units concerning the reassignment of teachers and other employees of the regional school unit in the transitional period from the operational date of the regional school unit until the completion of negotiations for a regional school unit-wide collective bargaining agreement.
  8. It replaces the so-called "53.86% penalty" for any school administrative unit that fails to approve a reorganization plan on or before January 30, 2009 and to implement that plan by July 1, 2009 with a penalty that provides that the school administrative unit's full-value education mill rate pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A is increased by 2% for the purpose of calculating the school administrative unit's required contribution to meet the local share of education costs established pursuant to Title 20-A, section 15688, subsection 3-A.
  9. It directs the Department of Education to conduct a review of the results of referenda votes on proposed reorganization plans and the status of the reorganization of school administrative units as regional school units consistent with the July 1, 2009 implementation timeline. It also directs the department to develop recommendations related to the circumstances and criteria under which the Commissioner of Education could grant a waiver to a school administrative unit that has not complied with the implementation timelines, including any necessary flexibility that would provide the commissioner with the authority to adjust the timelines for complying with the law, to waive penalties or to approve an alternative plan submitted by a reorganization planning committee. It further directs the department to clarify what happens if voters of an individual school administrative unit fail to approve a reorganization plan that results in the school administrative unit's not meeting the implementation timeline for reorganization.
  10. It provides that the sections of the Act that amend the Maine Revised Statutes, Title 20-A, sections 1305-C, 1701-C and 2307 apply retroactively to January 1, 2008 as long as the retroactivity application does not affect the validity of a budget meeting or budget validation referendum called or conducted in accordance with prior law before the effective date of this Act.

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Public Law 2007, chapter 668 incorporates the following changes to clarify and improve the laws governing the formation of regional school units.

1. It provides that, after July 1, 2009, the definition of "school administrative unit" may only include a regional school unit, a municipal school unit, an alternative organizational structure approved by the Commissioner of Education, a kindergarten-to-grade-8 school administrative district that has not reorganized as a regional school unit, a community school district that has not reorganized as a regional school unit, a municipal or quasi-municipal district responsible for operating public schools that has not reorganized as a regional school unit, and a municipal school unit, school administrative district, community school district or any other quasi-municipal district responsible for operating public schools that forms a part of an alternative organizational structure by the Commissioner of Education.
2. It corrects a cross-reference for the cost center summary budget format and the budget validation referendum process that school administrative districts and community school districts must comply with for budgets developed after January 1, 2008; and it further provides that these provisions apply retroactively to January 1, 2008 as long as the retroactivity application does not affect the validity of a budget meeting or budget validation referendum called or conducted in accordance with prior law before the effective date of this Act.
3. It articulates, without limitation, the core functions for which a regional school unit is responsible.
4. It provides consistent language across the allocated and unallocated provisions in the law to clarify the budget referendum ballot question to be placed before the voters at a budget validation referendum vote.
5. It provides regional school unit boards with the legal authority to receive and spend state and local funds, including funds for the election of regional school unit board members and to hire a superintendent prior to the operational date of the new regional school unit on July 1, 2009.
6. It clarifies the rights and obligations of regional school units concerning the reassignment of teachers and other employees of the regional school unit in the transitional period from the operational date of the regional school unit until the completion of negotiations for a regional school unit-wide collective bargaining agreement.
7. It clarifies the "Method B" apportionment process of weighted votes for regional school unit boards.
8. It provides for the election and staggered terms of the initial regional school unit board.
9. It replaces the law authorizing the formation of a local school committee for a member municipality, provides greater guidance in delegating functions and responsibilities to local school committees, and clarifies the relationship between a regional school unit board and a local school committee that seeks to raise additional funds for an elementary school or a secondary school that is owned or managed by the member municipality.
10. It clarifies the financial responsibility for the preservation of school choice in a new regional school unit when a member municipality continues to provide tuition for students to attend a school outside of the new regional school unit. The provision provides that the member municipality is responsible for providing appropriations for any additional expense above the sending regional school unit tuition rate for students who are educated outside of the regional school unit.
11. It clarifies the authorization provided to regional planning committees to negotiate a cost-sharing agreement for those costs of a proposed regional school unit that are in addition to the local contribution required pursuant to the Maine Revised Statutes, Title 20-A, section 15690.
12. It establishes the requirements for calling a budget meeting and the procedures for the budget meeting.

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13. It clarifies and amends the budget approval and validation process provisions to:
  - A. Increase the number of days from the legislative body meeting to the referendum validation from 10 days to 14 days;
  - B. Provide that absentee ballots may not be distributed until the day after the regional school unit budget meeting;
  - C. In the event that a regional school unit budget has not been approved and validated prior to the start of the fiscal year, authorize municipalities to levy taxes based on the most recent school budget approved at the regional school unit budget meeting until a budget is validated by voters; and
  - D. Eliminate the need for 2 separate ballot questions for the budget validation referendum vote and combine information on 2 votes into one document provided with the warrant for the referendum vote.
14. It clarifies the assumption of existing debt that is transferred from an original education unit to a new regional school unit that is formed after July 1, 2008.
15. It clarifies the debt liability of the school administrative units that are members of a career and technical education region, including the disposition of debt incurred for a school construction or renovation project at a career and technical education region by the school administrative units that are members of the career and technical education region.
16. It removes references to "elementary" schools in the school closure provisions to clarify that secondary schools are also subject to these requirements.
17. It authorizes a municipal school committee to expand its membership from 5 members to as many as 7 members.
18. It clarifies the roles of the municipal officers and the school committee for municipal school units whose municipal charters give authority to approve the school budget to the municipal officers.
19. It clarifies the provisions governing tuition when there is no elementary school or no secondary school in a school administrative unit.
20. It clarifies the content and timing of the audit provisions.
21. It replaces the so-called "53.86% penalty" for any school administrative unit that fails to approve a reorganization plan on or before January 30, 2009 and to implement that plan by July 1, 2009 with a penalty that provides that the school administrative unit's full-value education mill rate pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A is increased by 2% for the purpose of calculating the school administrative unit's required contribution to meet the local share of education costs established pursuant to Title 20-A, section 15688, subsection 3-A.
22. It repeals a unit of law, and corrects a cross-reference to it, regarding the requirement that each municipality that is a member of a new regional school unit contribute a minimum of 2 mills of the municipality's property fiscal capacity to the total cost of education of the new regional school unit.
23. It grandfathers the special education adjustment for so-called "minimum subsidy receivers."
24. It authorizes the Commissioner of Education to approve plans for alternative organizational structures under the school reorganization law. To approve a plan for an alternative organizational structure, the commissioner must find that the plan will satisfy the purposes of the school reorganization law including: consolidation of system

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administration; consolidation of administration of special education, transportation and business functions; adoption of a core curriculum; and adoption of consistent school policies, school calendars and collective bargaining agreements.

25. It permits the Commissioner of Education to authorize so-called "doughnut hole" school units that have 1,200 or fewer students and no other available reorganization partners to form a regional school unit that serves at least 1,000 students if these isolated, rural school units meet certain criteria.

26. It changes the deadline by which a referendum must be held to January 30, 2009 and changes dates that are linked to the referendum date by the same amount of time. The current law governing the reorganization of school administrative units requires that a referendum must be held on a proposed reorganization on or before November 4, 2008.

27. It provides that a kindergarten-to-grade-12 school administrative district that is reformulated as a regional school unit without dissolving the school administrative district may continue to use the same name and operate as the same legal entity; and it amends the definition of "school administrative unit" to clarify that community school districts and kindergarten-to-grade-8 school administrative districts that do not join a regional school unit may remain in operation after July 1, 2009. The current law reformulates all kindergarten-to-grade-12 school administrative districts as regional school units by July 1, 2009 but is silent on the ability of community school districts and kindergarten-to-grade-8 school administrative districts to remain operational after that date.

28. It directs the Department of Education to conduct a review of the results of referenda votes on proposed reorganization plans and the status of the reorganization of school administrative units as regional school units consistent with the July 1, 2009 implementation timeline. It also directs the department to develop recommendations related to the circumstances and criteria under which the Commissioner of Education could grant a waiver to a school administrative unit that has not complied with the implementation timelines, including any necessary flexibility that would provide the commissioner with the authority to adjust the timelines for complying with the law, to waive penalties or to approve an alternative plan submitted by a reorganization planning committee. It further directs the department to clarify what happens if voters of an individual school administrative unit fail to approve a reorganization plan that results in the school administrative unit's not meeting the implementation timeline for reorganization.

# *Joint Standing Committee on Education and Cultural Affairs*

## SUBJECT INDEX

### *Administration, Department of Education, State Board, and School Governance*

#### Enacted

LD 1944	An Act Regarding the Application of Term Limits for the State Board of Education	PUBLIC 528
LD 2026	Resolve, To Reimburse School Administrative District No. 11 for the State Share of Retirement Contributions Paid in Error	RESOLVE 217
LD 2028	An Act To Clarify the Authority of the Board of Directors of Regional School Unit No. 1	P & S 42
LD 2062	An Act Regarding Education Laws	PUBLIC 572
LD 2114	Resolve, Requiring the State To Use Valid Risk and Preventive Factors for Youth Programs	RESOLVE 180
LD 2291	An Act To Amend Teacher Confidentiality Laws	PUBLIC 666
LD 2323	An Act To Remove Barriers to the Reorganization of School Administrative Units	PUBLIC 668

#### Not Enacted

LD 1932	An Act To Amend the Laws Regarding School Funding	VETOED
LD 2043	An Act To Protect Student Athletes	ONTP
LD 2280	An Act To Clarify and Improve the Laws Governing the Formation of Regional School Units	INDEF PP
LD 2281	An Act To Amend the Laws Governing the Reorganization of School Administrative Units	INDEF PP
LD 2314	An Act To Amend School Funding Laws	DIED ON ADJOURNMENT

### *Adult Education*

#### Enacted

LD 2299	An Act To Make Technical Corrections in the Laws Regarding Funding Adult Education Programs and the Closure of an Elementary School in a School District	PUBLIC 599 EMERGENCY
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### *Alternative Education, Charter Schools and School Choice*

Enacted

LD 2303      An Act To Implement the Recommendations of the Alternative Education Programs Committee      PUBLIC 667

*Cultural Affairs*

Enacted

LD 672      Resolve, To Study the Scientific Research Support Capability of the Maine State Museum      RESOLVE 220

LD 1993      Resolve, Regarding Enhancement of Maine's Cultural Assets      RESOLVE 182

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

*Curriculum, Instruction, Textbooks and Testing*

Enacted

LD 2174      Resolve, Regarding Curriculum Requirements and Standards for Awarding a High School Diploma      RESOLVE 173

Not Enacted

LD 196      An Act To Modify the Maine Learning Results System      ONTP

LD 1152      An Act To Improve Public Education in Maine      ONTP

LD 1426      An Act To Enhance the Prekindergarten Experience for Maine Children      ONTP

*Education - Other*

Not Enacted

LD 1997      An Act To Fully Fund School Breakfast from Kindergarten to Grade 12      DIED ON ADJOURNMENT

*Postsecondary Education Finance and Student Aid*

Enacted

LD 1998      An Act To Provide Accessible Higher Education Financial Assistance for Maine Families      PUBLIC 520 EMERGENCY

LD 2300      An Act To Facilitate the Provision of Educational Loans for Maine Students and Families      PUBLIC 665 EMERGENCY

*Postsecondary Education Governance and Coordination*

Enacted

LD 123	Resolve, To Support the Inclusion of Labor Education at Maine Public Institutions of Higher Education	RESOLVE 210
LD 2025	An Act To Provide Degree-granting Authority to the Landing School of Boatbuilding and Design	P & S 40 EMERGENCY

*Safe Schools and Student Conduct*

Enacted

LD 2131	An Act To Implement the Recommendations of the Legislative Youth Advisory Council with Respect to Educational and Organizational Matters	PUBLIC 679
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*School Construction, Facilities and Buses*

Enacted

LD 2082	An Act To Preserve Successful Historic Neighborhood Schools	PUBLIC 578 EMERGENCY
LD 2122	Resolve, Regarding Legislative Review of Portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education	RESOLVE 174 EMERGENCY
LD 2175	Resolve, To Ensure Support for a Model of Consolidated and Integrated Secondary and Postsecondary Education	RESOLVE 223

Not Enacted

LD 2123	Resolve, Regarding Legislative Review of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education and the State Board of Education	DIED BETWEEN HOUSES
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*School Finance*

Not Enacted

LD 1041	An Act To Improve the Essential Programs and Services Funding Formula	ACCEPTED REPORT A (ONTP)
LD 2272	An Act To Reduce the Percentage of the Cost of Local Schools Paid by the State from 55% to 49%	ONTP

*Special Education Programs and Finance*

Enacted

LD 1949	Resolve, Regarding Special Education Evaluations	RESOLVE 158
LD 1973	An Act To Improve the Compliance and Accountability of the Child Development Services System	PUBLIC 530

LD 2027	Resolve, To Examine the Information, Training and Support Services Provided to Parents of Children with Disabilities	RESOLVE 171
LD 2136	Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation, a Major Substantive Rule of the Department of Education	RESOLVE 188 EMERGENCY

*Teachers and Administrators*

Enacted

LD 2083	Resolve, To Expand Access to Foreign Language Instruction in Maine Schools	RESOLVE 162 EMERGENCY
LD 2121	Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a Major Substantive Rule of the Department of Education and the State Board of Education	RESOLVE 187 EMERGENCY

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

**Summary of Committee Actions**

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	28	80.0%	5.0%
<u><i>Bills Carried Over from previous session</i></u>	6	17.1%	1.1%
Total Bills referred	34	97.1%	6.0%
B. Bills reported out by law or joint order	1	2.9%	0.2%
Total Bills considered by Committee	35	100.0%	6.2%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
		<u>% of this Committee's</u>	<u>% of All Committee</u>
II. COMMITTEE REPORTS	<u>Number</u>	<u>Reports</u>	<u>Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	2	5.7%	0.4%
<i>Ought to Pass as Amended</i>	16	45.7%	3.0%
<i>Ought to Pass as New Draft</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	5	14.3%	0.9%
Total unanimous reports	23	65.7%	4.3%
B. Divided committee reports			
<i>Two-way reports</i>	9	25.7%	1.7%
<i>Three-way reports</i>	2	5.7%	0.4%
<u><i>Four-way reports</i></u>	1	2.9%	0.2%
Total divided reports	12	34.3%	2.3%
Total committee reports	35	100.0%	6.6%
III. CONFIRMATION HEARINGS	17	N/A	N/A
		<u>% of Comm</u>	<u>% of All</u>
IV. FINAL DISPOSITION	<u>Number</u>	<u>Bills/Papers</u>	<u>Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	9	25.7%	1.6%
<i>Private and Special Laws</i>	2	5.7%	0.4%
<i>Resolves</i>	13	37.1%	2.3%
<u><i>Constitutional Resolutions</i></u>	0	0.0%	0.0%
Total Enacted or Finally Passed	24	68.6%	4.3%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	25.0%	4.5%
Rules authorized with legislative changes	3	75.0%	13.6%
<u>Rules not authorized by the Legislature</u>	0	0.0%	0.0%
Total number of rules reviewed	4	100.0%	18.2%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	1	2.9%	0.2%
<u><i>Held by the Governor</i></u>	0	0.0%	0.0%
Total	1	2.9%	0.2%

Note: A committee vote on a bill is not included here if the bill was subsequently re-referred to another committee or recommitted and carried over.  
Prepared by the Office of Policy and Legal Analysis  
123rd Legislature, Second Regular and First Special Sessions