

STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2007

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**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>	111	94.9%	5.7%
<u><i>Bills Carried Over</i></u>	<u>6</u>	<u>5.1%</u>	<u>0.3%</u>
Total Bills referred	117	100.0%	6.1%
B. Bills reported out by law or joint order	0	0.0%	0.0%
Total Bills considered by Committee	117	100.0%	6.1%
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%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	9	8.1%	0.5%
<i>Ought to Pass as Amended</i>	22	19.8%	1.3%
<i>Ought to Pass as New Draft</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	<u>52</u>	<u>46.8%</u>	<u>3.0%</u>
Total unanimous reports	83	74.8%	4.8%
B. Divided committee reports			
<i>Two-way reports</i>	26	23.4%	1.5%
<i>Three-way reports</i>	2	1.8%	0.1%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	28	25.2%	1.6%
Total committee reports	111	94.9%	6.4%
III. CONFIRMATION HEARINGS	6	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All 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>	19	16.2%	1.0%
<i>Private and Special Laws</i>	4	3.4%	0.2%
<i>Resolves</i>	17	14.5%	0.9%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	40	34.2%	2.1%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	4	66.7%	16.7%
Rules authorized with legislative changes	2	33.3%	8.3%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	6	100.0%	25.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	0	0.0%	0.0%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	0	0.0%	0.0%

Joint Standing Committee on Education and Cultural Affairs

LD 20 Resolve, Prohibiting the Use of Carpeting in Schools

ONTP

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

LD 20 directs the Department of Education to adopt rules prohibiting the use of carpeting as flooring for newly constructed school facilities and to require the replacement of floor coverings in renovation of existing school facilities with flooring other than carpeting.

**LD 34 Resolve, Regarding Legislative Review of Portions of Chapter 28:
Closing a School in the Unorganized Territory, a Major Substantive
Rule of the Department of Education**

**RESOLVE 7
EMERGENCY**

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

This bill provides for legislative review of portions of Chapter 28: Closing a School in the Unorganized Territory, a major substantive rule of the Department of Education.

Enacted Law Summary

Resolve 2007, chapter 7 provides that final adoption of portions of Chapter 28: Closing a School in the Unorganized Territory, a major substantive rule of the Department of Education, is authorized.

Resolve 2007, chapter 7 was enacted as an emergency measure effective April 12, 2007.

**LD 44 An Act To Require Changes in the Essential Programs and Services
Funding Formula Concerning Labor Market Areas**

**ACCEPTED ONTP
REPORT**

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

This bill requires that, beginning in fiscal year 2007-08, the regional adjustment to the salary and benefits costs of teachers and other school personnel that is based on labor market areas in the State must be 1.0 for all labor market areas in the State.

LD 88 Resolve, To Encourage the Use of Safe Chemicals in Public Schools

RESOLVE 32

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM MAJ OTP MIN	S-84

LD 88 requires the Department of Education to compile a list of safe alternatives to chemicals used in schools as cleaning agents and pesticides and to distribute the list to every school administrative unit in the State and make publicly available a list of school administrative units that commit to using safe alternatives to chemicals.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (S-84)

This amendment is the majority report of the committee. It revises the directive in the original bill to clarify expectations and require consultation with the Department of Environmental Protection and the Board of Pesticides Control.

Enacted Law Summary

Resolve 2007, chapter 32 directs the Department of Education to consult with the Department of Environmental Protection and the Board of Pesticides Control in compiling lists of preferred cleaning products and disinfectants and in developing recommendations for cleaning procedures that will reduce the use of toxic chemicals and improve indoor air quality in schools. The department is required to provide school administrative units with information on the use of pesticides and contact information for the Board of Pesticides Control. The department is also directed to make available to the public a list of schools that have committed to a green cleaning program.

LD 90 An Act To Provide State Funding for Fingerprinting of Educational Personnel

**ACCEPTED ONTP
REPORT**

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

This bill requires the State to pay for fingerprinting of school personnel. The bill also requires the State to reimburse those who have been fingerprinted and have paid for the fingerprinting.

LD 123 An Act To Establish a Labor Center within the University of Maine System and To Restore Lost Funding to the Bureau of Labor Education

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE		H-142 S-138 STRIMLING

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.

This bill makes ongoing General Fund appropriations of \$169,480 in fiscal year 2007-08 and \$174,136 in fiscal year 2008-09 to establish and maintain a center within the University of Maine System that would offer labor education and policy development for students and community organizations.

Committee Amendment "A" (H-142)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. This amendment incorporates a fiscal note.

Senate Amendment "A" (S-138)

This amendment increases the General Fund appropriations by \$85,000 each year in fiscal year 2007-08 and in fiscal year 2008-09.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

Joint Standing Committee on Education and Cultural Affairs

LD 150 An Act To Amend and Improve the Education Laws Concerning Portable Space and Rule-making Authority

PUBLIC 111

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON MITCHELL	OTP-AM	H-92

This bill amends, improves and clarifies certain sections of the Maine Revised Statutes, Title 20-A to change the lengths, terms and extensions of waivers for lease-purchase agreements for temporary, portable classroom space, removes the language requiring rules for home instruction and removes the language that the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf funding is determined by Department of Education rule.

Committee Amendment "A" (H-92)

This amendment makes technical changes to the bill.

Enacted Law Summary

Public Law 2007, chapter 111 amends, improves and clarifies certain sections of the Maine Revised Statutes, Title 20-A to change the lengths, terms and extensions of waivers for lease-purchase agreements for temporary, portable classroom space, removes the language requiring rules for home instruction and removes the language that the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf funding is determined by Department of Education rule.

LD 151 An Act To Include Student Representation on the State Board of Education

PUBLIC 200

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRINGTON SCHNEIDER	OTP-AM	H-271

This bill expands the membership of the State Board of Education to include one student member.

Committee Amendment "A" (H-271)

The bill added one student member to the State Board of Education. This amendment expands the membership of the board to include 2 student members, including one junior in high school and one senior in high school, to serve as nonvoting members. The amendment adds a requirement that one of the student members reside in the First Congressional District and one in the Second Congressional District at the time of their appointment. The amendment also changes several dates in the nomination process for prospective student members to align with the phase-in of the terms of student members. Finally, the amendment strikes the grade average prerequisite and replaces it with a provision that other qualifications would be established by the board in consultation with students in the State.

Enacted Law Summary

Public Law 2007, chapter 200 adds 2 student members, including one junior in high school and one senior in high school, to the membership of the State Board of Education to include to serve as nonvoting members. The law requires that one of the student members reside in the First Congressional District and one in the Second Congressional District at the time of their appointment. The law also provides that additional qualifications for student members would be established by the board in consultation with students in the State.

Joint Standing Committee on Education and Cultural Affairs

Public Law chapter 200 was enacted as an emergency measure effective June 4, 2007.

LD 184 An Act To Protect Children's Health on School Grounds

PUBLIC 156

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER	OTP-AM MAJ OTP-AM MIN	S-73

LD 184 prohibits brand-specific food or beverage advertising on school grounds, except for advertising on product packaging, and prohibits the use of tobacco on school grounds by members of the public. This bill also extends the prohibition on tobacco use on school grounds by employees and students when school is not in session.

Committee Amendment "A" (S-73)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It allows advertising of food and beverages that meet the standards for foods and beverages to be sold or distributed on school grounds as established in Chapter 51 of the rules of the Department of Education. It clarifies that the prohibition on advertising does not apply to print or broadcast media, to clothing with brand images or to product packaging. The amendment also prohibits the use of tobacco on school grounds by members of the public and eliminates the right to establish designated smoking areas for school employees. It allows designated smoking areas negotiated through collective bargaining to remain until the next negotiated contract.

Enacted Law Summary

Public Law 2007, chapter 156 prohibits brand-specific food or beverage advertising on school grounds, except for advertising on product packaging, and advertising of food and beverages that meet the standards for foods and beverages to be sold or distributed on school grounds. It prohibits the use of tobacco on school grounds by members of the public and extends the prohibition on tobacco use on school grounds by employees and students to include times when school is not in session. It eliminates the right to establish designated smoking areas for school employees. It allows designated smoking areas negotiated through collective bargaining to remain until the next negotiated contract.

LD 196 An Act To Modify the Maine Learning Results System

CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

Joint Standing Committee on Education and Cultural Affairs

**LD 221 Resolve, Requiring the Maine Community College System To Return
Real Property and Buildings to the City of Eastport**

RESOLVE 116

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON	OTP-AM	H-54 S-110 RAYE

This resolve requires the Maine Community College System to return to the City of Eastport certain real property and buildings located in, and formerly owned by, the City of Eastport.

Committee Amendment "A" (H-54)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-110)

This amendment prohibits the City of Eastport from transferring ownership of the property conveyed to it pursuant to this legislation without the consent of the Legislature.

Enacted Law Summary

Resolve 2007, chapter 116 requires the Maine Community College System to return to the City of Eastport certain real property and buildings located in, and formerly owned by, the City of Eastport. This resolve prohibits the City of Eastport from transferring ownership of the property conveyed to it pursuant to this legislation without the consent of the Legislature.

LD 222 An Act To Ensure the Integrity of School Crisis Response Plans

PUBLIC 408

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON HOBBINS	OTP-AM	H-415

LD 222 makes the approval of a crisis response plan by a school board public information but makes the contents of the plan confidential and not available to the public.

Committee Amendment "A" (H-415)

This amendment specifies additional groups to participate in the development of a comprehensive emergency management plan. It requires that certain information pertaining to a school's comprehensive emergency management plan be public information. Other elements of the plan that could jeopardize safety are protected from disclosure.

Enacted Law Summary

Public Law 2007, chapter 408 expands the interested parties involved in the development of a school's comprehensive emergency management plan. The approval of the plan and certain information pertaining to the plan are designated as public information while information that could jeopardize safety are protected from disclosure.

Joint Standing Committee on Education and Cultural Affairs

LD 271 An Act To Permit Andover College To Issue Degrees under New Ownership

**P & S 2
EMERGENCY**

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

LD 271 authorizes Andover College to issue degrees under its new ownership.

Enacted Law Summary

Private and Special Law 2007, chapter 2 authorizes Andover College to issue degrees under its new ownership. This law was enacted as an emergency measure effective March 20, 2007.

LD 272 An Act To Create Charter Programs within Existing Schools

ONTP

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

LD 272 is a concept draft proposing to provide school boards with the authority to establish charter programs within existing schools in their own school administrative unit. The legislation would establish a pilot program that would permit up to 20 charter programs to be authorized during a 10-year period. The central purposes of establishing charter programs would be to expand learning opportunities for disengaged students who are underserved by the current educational system and to increase the likelihood that students will excel in a standards-based educational system.

LD 293 An Act To Address the Evaluations of Certain School Employees

**DIED BETWEEN
HOUSES**

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

This bill requires that a person paid to work in a school in a position that does not require certification or authorization but whose employment requires the approval of the Department of Education must receive an evaluation from the school administrative unit before the end of the first year of employment. The bill also provides that school boards must establish criteria and standards for job performance for those personnel and further provides that the evaluation of those personnel must use the criteria and standards of job performance established by school boards.

LD 317 An Act To Increase the Availability of Public Education Services from Child Development Services

PUBLIC 430

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW	OTP-AM	S-142

Joint Standing Committee on Education and Cultural Affairs

This bill expands the opportunity of preschool children with disabilities to continue to have free, appropriate public education provided through the Child Development Services System. This bill extends the window of eligibility by 2 months, allowing children who reach 5 years of age between July 1st and October 15th, instead of the current September 1st and October 15th, to continue with the Child Development Services System.

Committee Amendment "A" (S-142)

This amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2007, chapter 430 expands the opportunity of preschool children with disabilities to continue to have free, appropriate public education provided through the Child Development Services System. This law extends the window of eligibility by 2 months, allowing children who reach 5 years of age between July 1st and October 15th, instead of the current September 1st and October 15th, to continue with the Child Development Services System.

**LD 334 **Resolve, Regarding Legislative Review of Portions of Chapter 182:
Formula for Distribution of Funds to Child Development Services
Regional Sites****

**RESOLVE 47
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a major substantive rule of the Department of Education.

Enacted Law Summary

Resolve 2007, chapter 47 authorizes final adoption of portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a provisionally adopted major substantive rule of the Department of Education.

Resolves 2007, chapter 47 was enacted as an emergency measure effective June 4, 2007.

**LD 338 **An Act Regarding the Labor Market Adjustment for Teacher Salary
Costs under Essential Programs and Services Funding****

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

SHERMAN

ONTP

This bill establishes a labor market adjustment for fiscal year 2007-08 and each year thereafter to the regional adjustment for teacher salary costs set forth in the Maine Revised Statutes, Title 20-A, section 15682.

LD 343 **An Act Regarding School Transportation**

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

FINCH

ONTP

LD 343 requires that rules adopted by the Department of Education concerning seat belts or child safety seats for school buses are major substantive rules.

Joint Standing Committee on Education and Cultural Affairs

LD 346 An Act To Increase State Funding of Public Education

ONTP

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

This bill increases the state share of the cost of funding public education to 60% beginning with fiscal year 2009-10.

LD 370 Resolve, To Reduce the Number of School Administrative Units and Gain Administrative Efficiencies

ONTP

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

This resolve establishes a mechanism to consolidate the business side of providing kindergarten to grade 12 educational services while leaving in place schools, teachers and students. The resolve establishes the Committee to Consolidate School Administration to develop a plan that eliminates current administrative education units and their governing boards and administration and redraws the boundaries of those units. Under the plan a school administrative unit may consist of a municipality or a new school administrative district and will, on average, serve a range of 2,000 to 2,200 students. New school boards will be elected in June of 2008, which is the last month of the transition period into the new consolidated school administration plan.

LD 404 An Act To Limit Regional Adjustments to Teacher Salaries

ONTP

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

This bill specifies that any regional adjustment multiplier applied to teacher salaries and benefits may not be less than 1.0.

LD 410 An Act To Repeal the Certification and Authorization Fees for School Personnel

**ACCEPTED
REPORT A
(ONTP)**

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

In the First Regular Session of the 122nd Legislature, new certification and authorization fees were established to help balance the Department of Education's budget. This bill repeals those charges that were imposed on school employees for their certifications and authorizations.

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LD 448 An Act To Improve Equity in School Funding

ONTP

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

This bill provides that, beginning in fiscal year 2007-08, the regional adjustment provided to school administrative units under the Essential Programs and Services Funding Act must be based on the regional differences in teacher salary costs or the regional differences in teacher housing costs within labor market areas in the State, whichever provides a greater regional adjustment to the school administrative unit.

LD 453 An Act To Enhance the Choices for Children and Parents from Areas without Public Secondary Schools

ONTP

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

LD 453 allows sectarian schools to be eligible for the receipt of public funds for tuition purposes, with the tuition discounted pro rata for the portion of the sectarian school's curriculum that is religion instruction.

LD 454 An Act To Amend Truancy Laws Regarding Parent Involvement

PUBLIC 304

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SILSBY	OTP-AM MAJ ONTP MIN	H-168 H-384 SILSBY

LD 454 strengthens the truancy laws by making it a Class E crime for parents who fail to take corrective measures for truant children from kindergarten to grade 6.

Committee Amendment "A" (H-168)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It clarifies that the truancy provisions apply to students 7 years of age and older. It requires that certain excusable absences be approved in advance, instead of just reported. It includes language for enforcement provisions in the truancy statutes for the unorganized territories.

House Amendment "A" (H-384)

This amendment removes the provision in the bill making it a Class E crime for parents who fail to take corrective measures for truant children from kindergarten to grade 6. It amends the definition of "jeopardy" in the statutes administered by the Department of Health and Human Services to include deprivation of education when the child is at least 7 years of age and has not completed grade 6. It requires a superintendent to include in the mandatory notice sent to parents of truant children that the superintendent is authorized to notify the Department of Health and Human Services of the truancy. It amends the definition of "abuse and neglect" to include violation of truancy laws by parents of children who are at least 7 years of age and have not completed grade 6. It allows a court to impose a fine not to exceed \$250 for habitual truancy and allows the court to suspend all or part of a fine for habitual truancy upon compliance with a court order issued in connection with the habitual truancy.

Enacted Law Summary

Joint Standing Committee on Education and Cultural Affairs

Public Law 2007, chapter 304 amends the definition of "jeopardy" in the statutes administered by the Department of Health and Human Services to include deprivation of education when the child is at least 7 years of age and has not completed grade 6. It requires a superintendent to include in the mandatory notice sent to parents of truant children that the superintendent is authorized to notify the Department of Health and Human Services of the truancy. It amends the definition of "abuse and neglect" to include violation of truancy laws by parents of children who are at least 7 years of age and have not completed grade 6. It allows a court to impose a fine not to exceed \$250 for habitual truancy and allows the court to suspend all or part of a fine for habitual truancy upon compliance with a court order issued in connection with the habitual truancy.

**LD 462 An Act Authorizing the Institute for Doctoral Studies in the Visual Arts
To Confer the Degree of Doctor of Visual Arts**

**P & S 1
EMERGENCY**

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

LD 462 authorizes the Institute for Doctoral Studies in the Visual Arts to confer the degree of Doctor of Visual Arts upon students in accordance with the Maine Revised Statutes, Title 20-A, section 10704. The State Board of Education voted unanimously to approve the institute's application to confer the degree and transmitted its recommendation to the Joint Standing Committee on Education and Cultural Affairs in accordance with the Department of Education's rules, Chapter 149.

Enacted Law Summary

Private and Special Law 2007, chapter 1 authorizes the Institute for Doctoral Studies in the Visual Arts to confer the degree of Doctor of Visual Arts upon students.

**LD 464 An Act To Reform Public Education by Encouraging Regional
Approaches**

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to reform public education by implementing recommendations included in the report entitled, "A Case for Cooperation: Making Connections to Improve Education for All Maine Students," published by the Maine Children's Alliance in 2006. The bill would amend the education laws in order to encourage new and expanded regional approaches to school organization and to facilitate voluntary cooperation in the delivery of educational programs and services.

Legislation developed to reform public education would include, but would not be limited to, the following:

1. The establishment of school planning alliances in 26 regions of the State based upon the existing centers and regions in the career and technical education system established in the Maine Revised Statutes, Title 20-A, chapter 313. A school planning alliance would be authorized to create a plan to increase educational opportunities, streamline administration and gain efficiencies for the school administrative units within the region;
2. The establishment of a new type of school administrative unit, the regional school district, as an option for school administrative units within a school planning alliance as described in section 1 to cooperate in creating a more effective and cost-efficient school system;

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3. The amendment of state laws and rules for financing the construction and renovation of school facilities to establish a regional school construction finance program that complements current state finance programs for the construction of new school facilities as established by Title 20-A, chapter 609 and for the renovation of existing school facilities as established by Title 30-A, section 6006-F;
4. The authorization for regional cooperative organizations to be eligible for state funding from the Fund for the Efficient Delivery of Educational Services established in Title 20-A, section 15754 for the provision of support services, classroom instruction when needed to provide an adequate curricular program and enrichment programs;
5. The creation of a model statewide school calendar that would be adopted at the local level and coordinated at the regional level;
6. The requirement that all school administrative districts and regional school districts be named. Existing numbers for school administrative districts should be replaced with names identifying the districts;
7. The authorization for the Department of Education to adopt or amend rules to establish educational standards for the approval of a school administrative unit that petitions to become a member of, or to withdraw from, a school district; and
8. The restoration of full funding for the Fund for the Efficient Delivery of Educational Services at an amount equivalent to 2% of the total amount appropriated for the General Purpose Aid for Local Schools program during the 2008-2009 biennium.

LD 465 An Act To Prohibit School Administrative Units from Advocating in Political Activity

ONTP

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

This bill prohibits members of a school board, superintendents and employees of a school administrative unit from engaging in political activity that is intended to influence a voter's opinion or that expressly advocates for or against any political candidate, referendum question or issue that is placed on the ballot for voters. The bill also provides a penalty for persons who violate this prohibition on political activity.

LD 468 An Act To Amend the Laws Governing Compulsory School Attendance

PUBLIC 143

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWMAN	OTP	S-63

LD 468 adds to the duties of the attendance coordinator serving as the liaison between the school and the local law enforcement agency in matters pertaining to student absenteeism.

Committee Amendment "A" (S-63)

This amendment adds a mandate preamble to the bill.

Enacted Law Summary

Public Law 2007, chapter 143 adds to the duties of the attendance coordinator serving as the liaison between the

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school and the local law enforcement agency in matters pertaining to student absenteeism.

LD 470 An Act To Add Ten Days to the School Year ONTP

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

LD 470 extends the school year by 10 days starting in the school year beginning in 2007.

LD 481 Resolve, Directing the Department of Education To Review and Assess RESOLVE 11
Distance Learning Opportunities for High School Students

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

This resolve directs the Department of Education to review and assess distance learning opportunities for public high school students and report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2008.

Enacted Law Summary

Resolve 2007, chapter 11 directs the Department of Education to review and assess distance learning opportunities for public high school students and report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2008.

LD 482 Resolve, To Conduct an Objective and Independent Review of Essential ONTP
Programs and Services

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

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to require that an objective and independent review of the essential programs and services school funding formula be conducted by qualified researchers. In conducting the review, the researchers shall analyze whether the original intent of the essential programs and services design is being met, and whether the essential programs and services school funding formula is providing the necessary state aid to meet the actual cost of providing elementary, middle and secondary education programs, including special education, career and technical education, transportation, technology and extracurricular and cocurricular programs. The review will also include an assessment of the effect of the essential programs and services school funding formula on high-valuation communities and school districts. Finally, the review will include an assessment of the impact of recent laws enacting changes to the essential programs and services school funding formula and the phase-in of the percentage of the State's share of general purpose aid to local schools.

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LD 483 An Act To Require That Public Schools Start after Labor Day

**ACCEPTED ONTP
REPORT**

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

LD 483 prohibits the school year from beginning before Labor Day.

**LD 484 An Act To Adjust the School Funding Formula with Regard to
Unorganized Territories**

PUBLIC 424

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARTER	ONTP MAJ OTP-AM MIN	H-261 S-375 ROTUNDO

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to adjust the school funding formula to require the unorganized territories to pay their full and fair share of educating students from the unorganized territories in kindergarten to grade 12.

Senate Amendment "A" (S-375)

This amendment removes the requirement in the Committee Amendment "A" that requires the Commissioner of Education to pay up to 110% of the receiving school administrative unit's established tuition rate for each elementary school student who is a tuition student from the unorganized territories and up to 110% of the state average per public secondary student cost for each secondary school student who is a tuition student from the unorganized territories. This amendment also removes the requirement from Committee Amendment "A" that requires the Commissioner of Education to compute the tuition paid for each tuition student and allocate the tuition costs to the property owners from the unorganized unit where the tuition student resides. Instead, this amendment requires the Commissioner of Education to pay each receiving unit's actual per student cost incurred for educating students in that receiving unit for both elementary and secondary students from the unorganized territories. This amendment removes the provision in current law that allows the commissioner to pay the lesser of the actual cost or the State average per-pupil cost.

Enacted Law Summary

Public Law 2007, chapter 424 requires the Commissioner of Education to pay each receiving unit's actual per student cost incurred for educating students in that receiving unit for both elementary and secondary students that are tuition students from the unorganized territories. The law removes the provision in current law that allows the commissioner to pay the lesser of the actual cost or the State average per-pupil cost for tuition students from the unorganized territories.

**LD 560 An Act To Integrate the Approval of Early Childhood Education Plans
for Children 4 Years of Age into Basic School Approval for Elementary
Schools**

PUBLIC 141

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

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This bill defines "public preschool program" in the laws governing education. This definition differentiates a public preschool program from a one- or two-year kindergarten program. The bill also integrates approval of early childhood education plans for programs for children 4 years of age into the laws governing basic school approval.

Enacted Law Summary

Public Law 2007, chapter 141 amends the definition of a "public preschool program" in the laws governing education to differentiate a public preschool program from a one- or two-year kindergarten program. The law also integrates approval of early childhood education plans for programs for children 4 years of age into the laws governing basic school approval.

LD 614 An Act To Modify the Essential Programs and Services Formula To Aid Rural School Districts ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to modify the essential programs and services school funding formula to aid rural school districts by changing the adjustment in the formula made for salaries and benefits received by school personnel.

LD 672 An Act To Strengthen the Scientific Research Support Capability of the Maine State Museum CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL		S-42

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 "A" (S-42)

This amendment incorporates a fiscal note.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 791 An Act To Ensure Equitable Geographic Representation on the State Board of Education PUBLIC 179

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-107 RAYE S-43

This bill changes the composition of the State Board of Education by requiring that membership of the board be broadly representative of the geographic regions of the State and of municipalities of varying sizes.

Committee Amendment "A" (S-43)

This amendment strikes the requirement in the bill regarding changes to the composition of the State Board of Education related to broad representation of municipalities of varying sizes, but retains the requirement that the

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composition of the State Board of Education must be broadly representative of the geographic regions of the State. The amendment also clarifies that the residency requirement for members appointed to the State Board of Education is limited to their residency at the time of their appointment. The amendment further provides that the members serving on the State Board of Education at the time of the effective date of this Act continue to serve for the remainder of the terms for which they were appointed and, after the expiration of those terms, that the appointment of State Board of Education members must be made consistent with the provisions of this Act.

Senate Amendment "A" (S-107)

This amendment retains language in the bill that provides that the membership of the State Board of Education must be broadly representative of municipalities of varying sizes.

Enacted Law Summary

Public Law 2007, chapter 179 changes the composition of the State Board of Education by requiring that membership of the board be broadly representative of the geographic regions of the State and of municipalities of varying sizes.

LD 821 Resolve, To Make University of Maine System Tuition Affordable **ONTP**

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

This resolve is a concept draft pursuant to Joint Rule 208. This emergency resolve proposes to direct the University of Maine System to reduce by 10% the salaries of all administrative positions within the system and to use those savings to lower tuition for Maine resident students.

LD 834 Resolve, To Create a Study Commission To Review and Report on the Possibility of Making All Public School Teachers in Maine Employees of the State **ACCEPTED ONTP REPORT**

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

This resolve establishes the Commission to Review and Report on the Possibility of Making All Public School Teachers in Maine Employees of the State.

LD 835 An Act To Encourage School Administrative Units To Collaborate with Other School Administrative Units **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to provide the opportunity for current school administrative units to form regional cooperatives to aid in the efficient delivery of educational services while maintaining a high-quality educational system for students, teachers, community members and schools. The bill would balance the independence of the legislative bodies of school administrative units and local control with the efficient delivery of administrative services for schools while enhancing the educational programs provided for prekindergarten to grade 12 public education students in the State.

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Under this bill, school administrative units would form regional cooperatives that serve at least 2,800 students. The bill would also establish the Efficient Delivery of Educational Services Commission, referred to in this concept draft as "the commission," whose responsibilities include management of the fund, along with supporting, approving and monitoring the progress of the regional cooperatives. The regional cooperatives would apply to the commission for approval and financial incentives through the existing Fund for the Efficient Delivery of Educational Services, established under the Maine Revised Statutes, Title 20-A, section 15754. The commission would implement reorganization and cost savings for school administrative units that do not participate in a regional cooperative and for school administrative units that are unable to achieve the cost-savings benchmarks established by the commission for regional cooperatives.

Key Elements:

1. A school administrative unit may enter into an agreement with another school administrative unit or units to form a regional cooperative to increase efficiency and lower costs of delivering public education for prekindergarten to grade 12 students and to provide for equitable, high-quality education for all students.
2. School administrative units would develop regional cooperatives that are contiguous and advantageous to the community and their delivery of an educational system for prekindergarten to grade 12 students.
3. The commission would be formed to support, approve, and monitor regional cooperatives. The commission would approve regional cooperatives and offer financial incentives to regional cooperatives through the Fund for the Efficient Delivery of Educational Services. The commission would define the expenditures to be included in the system administration cost category established in Title 20-A, section 15680 and would establish benchmarks for the level of per-pupil cost savings to be achieved by school administrative units for the 2008-2009 and 2010-2011 legislative biennia.
4. In order for an entity to qualify for approval by commission as a regional cooperative, the entity must have a minimum of 2,800 students and establish a regional plan to generate cost savings in the delivery of public education services from prekindergarten to grade 12.
5. The commission may approve some extreme cases of geographic hardship for entities with less than the approved number of students.
6. School administrative units with current student populations of at least 2,800 would not be required to form regional cooperatives, but would be required to comply with the annual per-pupil expenditure benchmarks established by the commission for the system administration cost category. If the commission determines that such a school administrative unit fails to meet these benchmarks, then the commission would develop and implement a reorganization and cost-savings plan for the school administrative unit.
7. If a school administrative unit has not entered into a regional cooperative by June 2009 or if the commission determines that school administrative unit has failed to meet the annual per-pupil expenditure benchmarks established by the commission for the system administration cost category, then the commission would develop and implement a reorganization and cost-savings plan for the school administrative unit.

Timeline:

From September 2007 to June 2008: School administrative units seek input from the public about regional cooperatives and begin planning regional cooperatives.

By June 2008: School administrative units form regional cooperatives and apply to the commission.

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By July 2008: Commission approves regional cooperatives.

By June 2009: Regional cooperatives implement plans, make adjustments and report cost savings.

By July 2009: Commission implements reorganization and cost-saving plans for school administrative units that have not entered into a regional cooperative or that have failed to meet the annual per-pupil expenditure benchmarks established by the commission for the system administration cost category.

By May 2010: Regional cooperatives realign work, plan for sustainability and report progress.

LD 836 An Act To Enhance Special Education

PUBLIC 307

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS TURNER	OTP-AM	H-417

This bill aligns existing law with the 2004 reauthorization of the federal Individuals with Disabilities Education Act and the regulations recently adopted by the United States Department of Education. The bill ensures state compliance with federal statutes and regulations and ensures that the State, school administrative units and other agencies are eligible for continued federal assistance. The bill specifies that Child Development Services System sites and governing boards are covered under the Maine Tort Claims Act; this inclusion expires June 30, 2008. The bill also specifies that Child Development Services System employees are public employees.

Committee Amendment "A" (H-417)

This amendment strikes the proposed repeal contained in the bill of several existing statutory provisions related to the duties of the board of directors of the regional sites of the Child Development Services System. The amendment is consistent with the intent of the bill that proposed to extend the repeal dates established in Public Law 2005, chapter 662 to permit more time for the implementation of several initiatives within the early childhood special education program that centralize fiscal administration, salary and benefits administration and data management policies and procedures.

The amendment also authorizes the state intermediate educational unit to function as the public employer of employees of a regional site within the early childhood special education program if the employees of a regional site choose to be represented by an agent for the purposes of collective bargaining. Finally, the amendment authorizes the state intermediate educational unit to enter into contracts, leases or other arrangements to perform its duties.

Enacted Law Summary

Public Law 2007, chapter 307 extends the repeal dates established in Public Law 2005, chapter 662 to permit more time for the implementation of several initiatives within the Child Development Services System that centralize fiscal administration, salary and benefits administration and data management policies and procedures for the early childhood special education program. The law also authorizes the state intermediate educational unit to function as the public employer of employees of a regional site within the early childhood special education program if the employees of a regional site choose to be represented by an agent for the purposes of collective bargaining. Finally, the law authorizes the state intermediate educational unit to enter into contracts, leases or other arrangements to perform its duties.

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LD 853 An Act To Encourage Efficiency in School Administration

ONTP

Sponsor(s)

MILLS P

Committee Report

ONTP

Amendments Adopted

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes emergency legislation to encourage efficiency in school administration by requiring that on July 1, 2007, school administrative units join a state-chartered educational cooperative, referred to as a "co-op," to contract for the regional delivery of administrative services. Co-ops are described in depth by the Maine Heritage Policy Center in "The Maine View" issue of January 25, 2007 and are functionally similar to educational cooperatives, which are nonprofit entities described in "A Case for Cooperation" published by the Maine Children's Alliance in August of 2006. The bill would include, but would not be limited to, the following.

1. Emergency legislation is required as co-ops are created immediately so that each co-op may hire a director and begin planning in the summer of 2007. This provides a year's lead time before the commencement of the delivery of regional services on July 1, 2008.

2. Participation in a co-op is required for all school administrative units, including those in the unorganized territories. The geographic bounds of the co-ops conform to the existing 26 vocational service regions except that a co-op may include more than one region in order to serve at least 3,000 students. A co-op must continue to: provide strong vocational education programming; adopt a common calendar for the region; establish parallel accounting systems for each unit; serve as contract bargaining agent for each unit; provide coordinated transportation services in the co-op; oversee food services for each public school in the co-op; support information technology for all schools in the co-op; coordinate and expand opportunities for regional and inter-regional instruction through distance learning, the Internet and other course-sharing initiatives; perform central payroll for all units in the co-op; coordinate the efficient delivery of special education services in the co-op; assist schools with comprehensive professional development programs in the co-op; provide curriculum and assessment services as needed or requested; function as agent for large-volume purchasing of goods and services; provide legal and medical support to each school; assist units with energy and facilities management; maintain a pool of qualified substitute teachers; assist units in providing instruction for students who are homebound or in the hospital; provide enrichment programs for gifted and talented students; establish a protocol for the exercise of school choice among schools; and provide high-quality programs to counteract school violence and substance abuse.

3. Member units continue to retain local control, including the authority to hire, oversee, evaluate and discharge teachers and other personnel; define local curriculum, assessment and professional development practices; determine the location and levels of support for individual schools; manage local budgets, subject to assessments for regional services; substitute local services for those optionally offered by the co-op if the units can provide them more effectively or at a lower cost; and provide governance to the co-op. This bill permits units and schools to refocus on student achievement and relieves units from the burden of business management so the units may manage the core function of schools, the process of education and instruction.

4. Each co-op is governed by a board with proportional representation from each member unit's school board. Units support services provided by the co-op through a capitated fee, contract, money assessment or other method agreed to by the member units. A unit aggrieved by a cost apportionment decision of the co-op has a right of appeal to the State Board of Education, which may issue substantive rules governing such issues.

5. Because each co-op is managed by existing public entities, the member units, there is no delay for elections, the assumption or allocation of public debt or the transfer of buildings and other assets. Interim funding of co-ops through June 30, 2008 will be supported by a capitated contribution from the state of \$100 per student. As soon as formed, each co-op may supplement its state appropriation through assessing its member units if the units vote to do

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so.

6. By July 1, 2008, every municipality must become part of a unit containing at least 1,200 students. Isolated small units, not contiguous to another, may retain their present governance. School unions are abolished. All segments of the unorganized territories will be assigned to a nearby or adjoining unit.

7. By August 1, 2007, the Commissioner of Education shall present to each co-op a suggested unit merger plan for local approval. Approved merger plans must be presented to the Legislature in January of 2008. For good cause shown, a merger may be delayed beyond July 1, 2008, although the merger plan must by then be in place.

8. This bill lengthens the school year beginning in September 2008 from 180 to 190 days, of which 185 are for instruction.

9. This bill amends the unit budget format by aligning it into segments aligned with co-op cost categories beginning July 1, 2008. This bill provides that, for units that must merge, no new employment contracts extending beyond June 30, 2008 may be agreed to until the restructuring provisions of this bill are in place.

LD 884 An Act To Provide Funding to Postsecondary Marine Training Programs

**ACCEPTED ONTP
REPORT**

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

This bill requires the Department of Education, working with the Chancellor of the University of Maine System and the President of the Maine Community College System, to develop marine training and education programs, to be available within the University of Maine System and the Maine Community College System. The programs are funded by a diversion of revenue from the sales and use tax imposed on watercraft. The current sales and use tax on watercraft is 5%. This bill maintains that rate but allocates 30% of the revenue from the sales and use tax imposed on watercraft, which is equivalent to 1.5% of the taxable sales that are subject to the 5% tax.

LD 898 An Act To Increase Educational Opportunities in the Kennebec Valley Region

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	S-44

This bill makes one-time General Fund appropriations of \$700,000 in fiscal year 2007-08 and \$200,000 in fiscal year 2008-09 to the University of Maine System to accelerate the transition of the University of Maine at Augusta from an institution focused on two-year degrees to an institution focused on granting four-year baccalaureate degrees that meets the educational, economic, cultural and professional needs of the Kennebec Valley region.

Committee Amendment "A" (S-44)

This amendment increases from \$200,000 to \$900,000 the appropriation in fiscal year 2008-09 and specifies that such funds are intended to be ongoing rather than one-time funds.

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LD 909 An Act To Support Central Maine Community College

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM MAJ ONTP MIN	H-146

This bill makes ongoing General Fund appropriations of \$150,000 per year to fund a full-time counselor and administrator position at Central Maine Community College to work to increase the student population at the college and to fund transportation costs, advertising and clerical support.

Committee Amendment "A" (H-146)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment incorporates a fiscal note.

LD 910 An Act To Permit Public Schools in the Lower Kennebec River Area To Regionalize To Achieve Efficiency and Improve Quality

P & S 25

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY BENOIT	OTP-AM MAJ OTP-AM MIN	H-589

This bill allows a school administrative unit that is a municipality or school administrative district to combine with another school administrative district to create a larger school administrative district.

Committee Amendment "B" (H-589)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes and replaces the bill to authorize the school administrative units of the City of Bath and the towns of Arrowsic, Georgetown, Phippsburg, West Bath and Woolwich to merge into and organize as a single regional school unit to become operative July 1, 2008. The amendment provides that, upon a vote of the residents of these municipalities, the respective school administrative units become participating members of this regional school unit.

Enacted Law Summary

Private and Special Law 2007, chapter 25 authorizes the school administrative units of the City of Bath and the towns of Arrowsic, Georgetown, Phippsburg, West Bath and Woolwich to merge into and organize as a single regional school unit to become operative July 1, 2008. The law provides that, upon a vote of the residents of these municipalities, the respective school administrative units become participating members of this regional school unit.

LD 928 An Act To Make Higher Education More Efficient and More Economical

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to examine how the governance of the University of Maine System and the Maine Community College System may be combined and consolidated, including a merger of the trustees of the 2 systems, to effectuate a more efficient use of tax dollars and to reduce tuition payments by students.

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LD 929 An Act To Promote Legal Services in Rural Maine

**ACCEPTED ONTP
REPORT**

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

This bill makes ongoing General Fund appropriations of \$90,750 for fiscal year 2007-08 and \$199,650 for fiscal year 2008-09 to provide loans under the Attorneys for Maine Program for up to 5 law students at the University of Maine School of Law who have received baccalaureate degrees from the University of Maine campuses at Presque Isle, Machias, Fort Kent and Farmington. The Attorneys for Maine Program also allows for a loan given under the program to be forgiven if a loan recipient provides legal services in an underserved area of the State for 5 years after receiving a juris doctor degree.

LD 930 An Act To Regionalize Supervision of Students in the Unorganized Territory

ONTP

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

This bill establishes a 4-district school administrative system for the unorganized territory. The bill requires the Commissioner of Education to develop rules to transfer state management of the school systems in the unorganized territory to these 4 districts. The commissioner is required to submit to the Second Regular Session of the 123rd Legislature provisionally adopted rules and proposed legislation necessary to accomplish this transfer of responsibility. The Joint Standing Committee on Education is authorized to report out a bill related to the unorganized territory school district system to the Second Regular Session of the 123rd Legislature.

LD 947 Resolve, To Prepare Students for Success in the Twenty-first Century

ONTP

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

This resolve:

1. Creates the Bipartisan School Redistricting Panel to redraw school administrative units to eliminate all units that serve under 3,000 students;
2. Directs the Department of Education to create a student investment account program that creates investment accounts for each child born in the State for use by residents for postsecondary education at institutions of higher learning located in the State and endows each account with \$200;
3. Directs the Department of Education to create a tuition assistance program in which each graduating high school student who demonstrates financial need and is accepted into an associate's or bachelor's program in a postsecondary institution in the State will receive an amount equal to 50% of the average tuition for 2 years at the Maine Community College System, and those students pursuing teaching certificates and committing to teaching in the State for 3 years after graduation will receive an additional 50% of the average tuition for 2 years at the Maine Community College System for their junior and senior years;

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4. Directs the Department of Education and the University of Maine System to administer leadership training institutes for teachers and school administrators and requires school administrators to attend the institute every 5 years as a requirement for recertification; and
5. Directs that school administrative units provide for individual wireless devices for 9th to 12th graders as part of their plans submitted to receive targeted funds for technology.

LD 967 **Resolve, Regarding Legislative Review of Chapter 007: Implementation of the Essential Programs and Services Funding Model, a Major Substantive Rule of the Department of Education **RESOLVE 134****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ OTP-AM MIN	H-398 PERRY A H-597 PERRY A

This resolve provides for legislative review of Chapter 007: Implementation of the Essential Programs and Services Funding Model, a major substantive rule of the Department of Education.

House Amendment "A" (H-398)

This amendment provides that final adoption of the provisionally adopted major substantive rule is authorized contingent upon the Department of Education amending the provisionally adopted rule to require that targeted funds plans for implementation of a standards-based system must include a step-by-step action plan developed in documented consultation with the local teacher association and to require the Commissioner of Education to develop the documentation process.

House Amendment "B" (H-597)

This amendment strikes the emergency preamble and the emergency clause.

Enacted Law Summary

Resolve 2007, chapter 134 provides that final adoption of the provisionally adopted major substantive rule is authorized contingent upon the Department of Education amending the provisionally adopted rule to require that targeted funds plans for implementation of a standards-based system must include a step-by-step action plan developed in documented consultation with the local teacher association and to require the Commissioner of Education to develop the documentation process.

LD 974 **Resolve, Requiring the Department of Education To Review the Personnel Preparation and Professional Development Opportunities for Special Purpose School Teachers **RESOLVE 20****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS J	OTP-AM	H-103

This bill directs the State Board of Education to adopt rules allowing a teacher in a regional special education or regional alternative educational program or school to meet certification requirements by substituting demonstrated life experience or work experience for course work or other applicable education requirements.

Committee Amendment "A" (H-103)

This amendment strikes the bill and replaces it with a resolve to direct the Department of Education, in collaboration

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with the State Board of Education and other stakeholders, to review issues related to the personnel preparation and professional development opportunities for teachers in regional special education or regional alternative education programs or schools as part of a review of programs available to promote educational opportunities for students with special needs. The amendment requires the Department of Education to submit a report, including findings and recommended legislation, to the Joint Standing Committee on Education and Cultural Affairs by October 1, 2007.

Enacted Law Summary

Resolve 2007, chapter 20 directs the Department of Education, in collaboration with the State Board of Education and other stakeholders, to review issues related to the personnel preparation and professional development opportunities for teachers in regional special education or regional alternative education programs or schools as part of a review of programs available to promote educational opportunities for students with special needs. The law requires the Department of Education to submit a report, including findings and recommended legislation, to the Joint Standing Committee on Education and Cultural Affairs by October 1, 2007.

LD 976 An Act To Encourage Cost Efficiency in Administration of and Contribution to Tax Burden Reduction by School Districts

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish a multitiered school funding formula that is designed to provide additional school funding assistance to school districts that are sufficiently consolidated to gain cost efficiency in administration and to school districts that are contributing to statewide tax burden reduction. Specifically, the proposal would change the Essential Programs and Services funding formula, or EPS, as defined in the Maine Revised Statutes, Title 20-A, chapter 606-B, to create a gradation of mill rate expectations that depend explicitly on district consolidation and budget decisions made by individual school districts in the previous year. The idea is to retain local control of school operations but create much stronger incentives for administrative cost efficiency.

The baseline mill rate expectation for all school districts would be set annually at the rate that could be supported with state general purpose aid funding, or GPA, that is equivalent to 50% of EPS costs. The additional 5% of the State's GPA funding, as required under current law, would be allocated into a supplementary school funding bonus system that would further reduce the mill rate expectation in eligible communities. The local mill rate expectation would be reduced by a fixed amount for each "efficiency point" earned up to a maximum of 5 efficiency points in each school district. Thus there would be in effect 5 tiers of mill rate expectation, depending on the administrative cost efficiency and tax burden reduction targets achieved.

1. District size. Consolidated school districts would be awarded efficiency points based on the size of the district, as follows: (a) At least 3,000 students, 3 efficiency points; (b) At least 2,000 but fewer than 3,000 students, 2 efficiency points; and (c) At least 1,000 but fewer than 2,000 students, 1 efficiency point.
2. EPS spending. Districts could earn another 2 efficiency points by: (a) Spending at least the EPS baseline on education but exceeding EPS by no more than 5%; or (b) Exceeding EPS costs by proportionately less the previous year than the year prior to that year, indicating a proportional movement toward tax burden reduction.

The value of the efficiency points in terms of their reduction in mill rate expectation would be based on the cost of the mill rate reduction to State Government, calibrated to equate exactly to the incremental resources available from the last 5% of the State's 55% commitment.

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LD 979 An Act To Adjust the Calculation of the Essential Programs and Services Pupil Count to Accurately Reflect Population Change ONTP

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

This bill amends the pupil count calculation in determining school operating costs for essential programs and services by calculating the greatest of the 6 pupil counts for April 1st and October 1st of the 3 most recent calendar years prior to funding, as opposed to the average of the 2 and 6 pupil counts for April 1st and October 1st of the most recent calendar year prior to funding.

LD 985 An Act To Include Family Life Skills in the System of Learning Results ONTP

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

LD 985 includes family life skills, including but not limited to financial skills such as budgeting and personal finance, health care choices and family dynamics, in the system of learning results.

LD 1013 An Act To Offer Tuition Waivers for State Higher Education Facilities to Eligible Veterans ONTP

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

This bill establishes a tuition waiver for veterans at state postsecondary educational institutions. Under the bill, the Finance Authority of Maine will administer the tuition waiver program, as it currently does under the Maine Revised Statutes, Title 20-A, chapters 429 and 429-A. The authority is given rulemaking powers to define "veteran" and to establish how many tuition waivers are available each year at each state postsecondary educational institution.

**LD 1020 An Act To Renew the Promise of Higher Education **DIED ON
ADJOURNMENT****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM MAJ ONTP MIN	S-97

This bill allows a person who has a gross family income of less than \$50,000 a year to attend any institution within the Maine Community College System free from tuition charges.

Committee Amendment "A" (S-97)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment establishes the Maine's Promise Grant Program, a need-based grant program to eliminate the unmet need and the necessity of student loans that would otherwise present a significant financial barrier to resident students from low-income households to enrolling in an associate degree program or a baccalaureate degree program at a

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public institution of higher education in this State for one year. The purpose of the grant program is to allow students whose reported annual family income is at or below the established federal poverty level to enroll in an associate degree program or a baccalaureate degree program free of tuition and fee charges for one year in the University of Maine System, the Maine Community College System or at Maine Maritime Academy. The amendment provides that a person is eligible for a grant under the program if the person:

1. Is a Maine resident who has graduated from an approved secondary school in the State or has successfully completed a high school equivalency diploma or its equivalent in the State;
2. Has been accepted for enrollment as an undergraduate in an eligible program of study and has not received a previous associate degree or baccalaureate degree;
3. Has completed an application for federal student financial aid programs and any institutional student financial aid programs for which the person may be eligible and an application for the Maine State Grant Program; and
4. Has a reported annual family income that is at or below the established federal poverty level as certified by the Finance Authority of Maine.

LD 1025 An Act To Reform Essential Programs and Services

ONTP

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

This bill accomplishes the following:

1. It directs the Department of Education to develop and post on its publicly accessible website a clear and logically organized description of how the cost of the components of essential programs and services is calculated;
2. It directs the department to develop a methodology that allows each major component of a school administrative unit's budget to be readily compared with the comparable component of the unit's required contribution established under the Maine Revised Statutes, Title 20-A, section 15688, subsection 3-A; and
3. It requires a school administrative unit, in accordance with rules adopted by the Department of Education, to provide an opportunity for voters within the unit to vote separately on each major component of the unit's budget as it compares with the comparable component of the unit's required contribution established under Title 20-A, section 15688, subsection 3-A.

LD 1040 Resolve, Directing the Department of Education To Encourage School Administrative Units To Encourage Secondary School Students To Apply to College

RESOLVE 122

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS MITCHELL	OTP-AM	H-180 HANLEY S S-100 DIAMOND

This bill requires secondary school students to complete at least one application to a postsecondary educational institution.

House Amendment "A" (H-180)

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This amendment is being offered on behalf of the Committee on Engrossed Bills to incorporate a revised fiscal note.

Senate Amendment "A" (S-100)

This amendment changes the bill to a resolve that directs the Department of Education to devise and implement methods to encourage school administrative units to encourage secondary school students to complete at least one application to a college, university or other postsecondary educational institution. These methods may include but are not limited to adding a requirement that a secondary school student complete at least one application to a college, university or other postsecondary educational institution to the requirements in the department's rules for the award of a diploma.

Enacted Law Summary

Resolve 2007, chapter 122 directs the Department of Education to devise and implement methods to encourage school administrative units to encourage secondary school students to complete at least one application to a college, university or other postsecondary educational institution. These methods may include but are not limited to adding a requirement that a secondary school student complete at least one application to a college, university or other postsecondary educational institution to the requirements in the department's rules for the award of a diploma.

LD 1041	An Act To Improve the Essential Programs and Services Funding Formula	CARRIED OVER
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH MARRACHE		

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.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 1042	An Act To Establish Uniformity in School Building Construction BY REQUEST	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WEDDELL	ONTP	

This bill requires the State Board of Education to adopt rules for new school construction projects that define what constitutes small, medium and large schools. The state board is required to develop standard school construction plans for small, medium and large elementary schools, middle schools and high schools based on student enrollment. The state board may not approve the allocation of state funds for a new school construction project unless the new school construction plan submitted in the application meets the standard school construction plans.

LD 1043	An Act Regarding Requirements for the Issuance and Renewal of Teaching Certificates	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOLMAN	ONTP	

Joint Standing Committee on Education and Cultural Affairs

This bill provides that the Commissioner of Education may authorize the issuance or renewal of teacher certificates upon a review of evidence provided by the candidate of qualifications that demonstrate that the candidate's life experience, work experience or educational experience is commensurate with the course work or other educational requirements that at the time of the demonstration are required for issuance or renewal of the teacher certificate for which the candidate has applied.

LD 1103 Resolve, To Determine the Impact of Funding for State Higher Education on the Distribution of Higher Education Costs among Families, Taxpayers and Publicly Supported Institutions of Higher Education

RESOLVE 119

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-269

This bill provides additional funding for the University of Maine System to provide a 5% total increase in funding in each year of the biennium. It also provides that no later than fiscal year 2014-15 the percentage of funding for the University of Maine System and the Maine Community College System that is provided from General Fund appropriations must be at least 55%.

Committee Amendment "A" (S-269)

This amendment strikes and replaces the bill with a resolve directing the University of Maine System, the Maine Community College System, Maine Maritime Academy and the Finance Authority of Maine to collaboratively conduct a review of the impact of funding for publicly supported higher education in the State during the period from fiscal year 2002-03 to fiscal year 2006-07. The amendment provides 2 research questions for this review.

1. How have Maine finance policies related to the distribution of public subsidies influenced the distribution of student-related higher education costs among parents and students, state taxpayers, federal taxpayers and publicly supported institutions of higher education in the State?
2. As perceived by the review panel, what conclusions and implications can be drawn from the data concerning the degree to which state finance policies related to the distribution of public subsidies have sustained access, advanced equity of higher education opportunity and promoted equitable cost-sharing for all Mainers?

The amendment also provides that the review panel shall present its report, including findings, recommendations and any necessary legislation, to the Joint Standing Committee on Education and Cultural Affairs no later than January 31, 2008. The Joint Standing Committee on Education and Cultural Affairs may submit a bill based on the report presented pursuant to this resolve to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 119 directs the University of Maine System, the Maine Community College System, Maine Maritime Academy and the Finance Authority of Maine to collaboratively conduct a review of the impact of funding for publicly supported higher education in the State during the period from fiscal year 2002-03 to fiscal year 2006-07. The resolve provides 2 research questions for this review.

1. How have Maine finance policies related to the distribution of public subsidies influenced the distribution of student-related higher education costs among parents and students, state taxpayers, federal taxpayers and publicly supported institutions of higher education in the State?
2. As perceived by the review panel, what conclusions and implications can be drawn from the data concerning the degree to which state finance policies related to the distribution of public subsidies have sustained access, advanced

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equity of higher education opportunity and promoted equitable cost-sharing for all Mainers?

The resolve also provides that the review panel shall present its report, including findings, recommendations and any necessary legislation, to the Joint Standing Committee on Education and Cultural Affairs no later than January 31, 2008. The Joint Standing Committee on Education and Cultural Affairs may submit a bill based on the report presented pursuant to this resolve to the Second Regular Session of the 123rd Legislature.

LD 1123 Resolve, Relating to the Wells-Ogunquit Community School District

RESOLVE 129

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWMAN	OTP-AM MAJ ONTP MIN	S-175

This bill changes the formula for computing each town's assessment for the expenses of the Wells-Ogunquit Community School District. The current formula bases 66.7% of the assessments on state valuation and 33.3% on the number of resident pupils in each town. The formula is changed so that the assessments are based on 67% of the number of resident pupils and 33% on the assessment of state valuation. This bill also removes language that permits the towns to agree to change the formula by separate majority vote in each town and that requires a withdrawal from the community school district to be authorized by special act of the Legislature.

Committee Amendment "A" (S-175)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment replaces the bill with a resolve and requires the Town of Ogunquit and the Town of Wells or their representatives to negotiate in good faith in order to reach a settlement of the dispute between the towns regarding the formula for computing each town's assessment for the total expenses of the Wells-Ogunquit Community School District. The amendment also requires that the towns present a report, including findings and recommendations regarding changes to the formula for apportionment of kindergarten-to-grade-12 education costs of the school district, to the Joint Standing Committee on Education and Cultural Affairs no later than December 5, 2007. Finally, the amendment provides that the Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 123rd Legislature regarding its recommendations on the report submitted by the towns to settle this dispute.

Enacted Law Summary

Resolve 2007, chapter 129 requires the Town of Ogunquit and the Town of Wells or their representatives to negotiate in good faith in order to reach a settlement of the dispute between the towns regarding the formula for computing each town's assessment for the total expenses of the Wells-Ogunquit Community School District. The resolve also requires that the towns present a report, including findings and recommendations regarding changes to the formula for apportionment of kindergarten-to-grade-12 education costs of the school district, to the Joint Standing Committee on Education and Cultural Affairs no later than December 5, 2007. Finally, the resolve provides that the Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 123rd Legislature regarding its recommendations on the report submitted by the towns to settle this dispute.

LD 1152 An Act To Improve Public Education in Maine

CARRIED OVER

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

Joint Standing Committee on Education and Cultural Affairs

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 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.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 1175 An Act To Apply Municipal Nepotism Policies to Municipal School Units

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHETTE PERRY J	ONTP	

This bill requires that municipalities with an ordinance, charter, code or personnel policy that governs nepotism relating to employment of a family member of a municipal officer use that policy for school board members of a municipal school unit.

LD 1178 An Act To Update and Clarify Laws Relating to Maine's Community Colleges

PUBLIC 67

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

This bill updates and clarifies several laws governing Maine's community colleges. It requires the Board of Trustees of the Maine Community College System to license dormitory rooms for occupancy by students. It updates the language regarding traffic violations on campus. It clarifies that the Maine Community College System personnel records are entitled to the same protections as the personnel records of state employees. It enables the community colleges to enhance public safety by specifying the colleges' ability to control firearm possession on their campuses. Finally, it gives community college library patrons the same rights regarding confidentiality as patrons of the University of Maine System, Maine Maritime Academy and municipal libraries.

Enacted Law Summary

Public Law 2007, chapter 67 updates and clarifies several laws governing Maine's community colleges. It requires the Board of Trustees of the Maine Community College System to license dormitory rooms for occupancy by students. It updates the language regarding traffic violations on campus. It clarifies that the Maine Community College System personnel records are entitled to the same protections as the personnel records of state employees. It

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enables the community colleges to enhance public safety by specifying the colleges' ability to control firearm possession on their campuses. Finally, it gives community college library patrons the same rights regarding confidentiality as patrons of the University of Maine System, Maine Maritime Academy and municipal libraries.

LD 1186 An Act To Establish Educational Excellence for the Towns of Corinna, Etna, Dixmont, Hartland, Newport, Palmyra, Plymouth and St. Albans **ONTP**

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

This bill establishes the Corinna, Etna, Dixmont, Hartland, Newport, Palmyra, Plymouth and St. Albans Community School District.

LD 1195 An Act To Establish a Uniform Chart of Municipal Accounts **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the current law to expand a model chart of accounts from the school system to include municipal accounts and recommend that it be adopted as a guide to be voluntarily followed.

LD 1220 An Act To Ensure Continued Education in Boatbuilding at the Marine Technology Center **ONTP**

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

This bill is an emergency concept draft pursuant to Joint Rule 208. This bill proposes to require the Maine Community College System to maintain instruction and recruitment for students at the Marine Technology Center at the Washington County Community College in Eastport for the 2007-2008 school year or until a new entity is operating at the school, whichever is sooner.

LD 1254 An Act To Modify the Student Code of Conduct **ONTP**

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

LD 1254 requires that the student code of conduct be modified to provide school units the legal basis for controlling student participation in cocurricular activities for behavior that is unlawful, and requires the Department of Education to develop language designed to accomplish this goal and make the language available to school boards.

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LD 1257 An Act Regarding the Terms of Members of the Maine State Museum Commission

**PUBLIC 100
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-105

LD 1257 adds one year to the terms of Maine State Museum Commission members, and provides a transition plan to create a pattern for future appointments. This pattern will result in 3 out of 15 member terms expiring on a fixed date each year.

Committee Amendment "A" (H-105)

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

Enacted Law Summary

Public Law 2007, chapter 100 adds one year to the terms of Maine State Museum Commission members, and provides a transition plan for future appointments. After the transition period, each member will be appointed to a term of 5 years with 3 of the 15 members' terms expiring each year.

Public Law 2007, chapter 100 was enacted as an emergency measure effective May 10, 2007.

LD 1281 Resolve, Requiring the Department of Education To Issue Rules Adopting the Northwest Evaluation Association's Assessment System as an Approved Method of Meeting Learning Results

ONTP

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

This bill directs the Department of Education to issue rules adopting the Northwest Evaluation Association's assessment system as an approved method of meeting learning results.

LD 1292 An Act To Ensure the Provision of Necessary Conditions for Effective Education Reform

ONTP

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

This bill changes the conditions and resources that implement the standards-based education system for all students and it requires these conditions and resources to be provided in all school administrative units. It also requires that comprehensive plans for the implementation of standards-based education be collaboratively developed.

LD 1324 An Act To Restore Income as a Factor in the Determination of Fiscal Capacity in the School Funding Formula

ONTP

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

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This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to preserve the provisions of the Essential Programs and Services Funding Act that determine each school administrative unit's total allocation, but to discontinue the method of determining the local share and the state share of the total allocation by means of the maximum mill rate expectation system. The bill would restore the structure of the school subsidy distribution system that was discontinued in fiscal year 2005-06. Prior to fiscal year 2005-06, the school funding formula utilized a combination of relative local property valuation, weighted at 85%, and relative local median income, weighted at 15%, to determine the local share of the total allocation.

LD 1325 An Act To Ensure Adequate Funding for Students of Alternative Schools

ONTP

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

LD 1325 amends the existing statutes regarding responsibility for funding alternative education programs, including private programs, for students who enroll in alternative education programs outside the school administrative units in which they reside.

LD 1333 An Act To Develop an Equitable Funding Formula for the University of Maine System Campuses

ONTP

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

LD 1333 is a concept draft pursuant to Joint Rule 208. This bill proposes to require an examination of the method by which state funds are distributed throughout the University of Maine System and to develop a more equitable formula for the distribution of those funds among the University of Maine System campuses.

LD 1366 An Act To Limit the Loss a School Administrative Unit Could Receive under the School Funding Formula

ONTP

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

This bill establishes a 5% limit to the amount of state subsidy that a school administrative unit could lose from the preceding year to the current year under the Essential Programs and Services Funding Act.

LD 1367 An Act To Address the Inequities of the Probationary Teacher Laws

ONTP

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

This bill amends the laws pertaining to probationary teachers by:

1. Requiring an evaluation process jointly developed between the school board and the collective bargaining agent to be used in the nomination of a teacher;

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- 2. Requiring a right to hearing if a contract is not renewed;
- 3. Requiring a decision not to renew a teacher's contract to be based upon just cause detailed in a written notice to the teacher; and
- 4. Allowing a school board to override a nonrenewal decision made by a superintendent.

**LD 1368 An Act To Revise the Essential Programs and Services Funding
Formula To Increase Equity in School Funding**

ONTP

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

This bill provides several revisions to the Essential Programs and Services Funding Act that are designed to achieve the goals of adequacy and equity in the funding of education for kindergarten to grade 12 public schools in the State. The bill accomplishes the following.

- 1. It requires that the per-pupil targeted technology resource funds be paid to the school administrative unit or private school that each tuition student attends in addition to tuition rates calculated pursuant to the Maine Revised Statutes, Title 20-A, chapter 219.
- 2. It removes the provisions in funding formula that recognize the allocation of federal resources that are provided to school administrative units.
- 3. It requires that, beginning in fiscal year 2007-08, the regional adjustment to the salary and benefits costs of teachers and other school personnel that is based on labor market areas in the State must be at least 1.0 for all labor market areas in the State.

LD 1385 An Act To Strengthen Arts Education for All Maine Students

**ACCEPTED ONTP
REPORT**

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

LD 1385 changes the courses required for a high school diploma to include 2 years of courses in the fine arts, which may include art, music, forensics or drama. Current law requires one year of courses in the fine arts. The bill also requires that, when assessment of secondary students is required in the content areas of the system of learning results, student achievement in the visual and performing arts be assessed based in part on a portfolio or performance.

Committee Amendment "A" (H-169)

This amendment, minority report of the committee, removes "forensics" from the disciplines listed as fine arts and adds "dance." The minority report was not adopted.

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

CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 1427 Resolve, To Evaluate Parenting Education and To Develop Parenting Resources in Maine High Schools

ONTP

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

LD 1427 makes information on parenting more accessible to high school students. This resolve directs the Department of Education to convene a working group to compile resources for parenting education and to consider recommending the incorporation of parenting as an important life skill into the State's system of learning results. The resolve also directs the Department of Education to provide parenting resources to all the high schools in the State.

LD 1442 Resolve, To Increase Physical Education for Elementary School Students

RESOLVE 102

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLER	OTP-AM	H-460

LD 1442 establishes minimum weekly time requirements for physical education. Beginning in school year 2010-2011, a minimum of 150 minutes per week would be required for students from kindergarten through grade 5 and 225 minutes per week for grades 6 through 8. The bill requires that physical education be taught by a teacher certified in physical education. The program content and student assessment must comply with nationally established standards for physical education.

Committee Amendment "A" (H-460)

This amendment replaces the bill with a resolve directing the Commissioner of Human Services, the Commissioner of Education and the cochairs of the Governor's Council on Physical Fitness, Sports, Health and Wellness to convene a planning and oversight team, known as PE4ME. This group is charged with developing standards for physical education in elementary schools and an implementation plan to achieve those standards by the 2010-2011 school year.

Enacted Law Summary

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Resolve 2007, chapter 102 directs the Commissioner of Human Services, the Commissioner of Education and the cochairs of the Governor's Council on Physical Fitness, Sports, Health and Wellness to convene a planning and oversight team, known as PE4ME. PE4ME is charged with developing standards for physical education in elementary schools and an implementation plan to achieve those standards by the 2010-2011 school year. It requires that the team report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Education and Cultural Affairs no later than December 31, 2007. It authorizes the Joint Standing Committee on Education and Cultural Affairs to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 1465 *Resolve, To Establish a Pilot Program for a Trimester Schedule at the University of Maine at Presque Isle* **ONTP**

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

This resolve directs the University of Maine at Presque Isle to establish a pilot program to implement a trimester system during the school year to create a 3-year period for earning a bachelor's degree instead of a 4-year period. The university shall report on the status of this program each February to the Joint Standing Committee on Education and Cultural Affairs.

LD 1473 *An Act To Provide State Support for State-approved School Construction Projects in Certain Municipalities* **ONTP**

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

This bill provides an adjustment to the state contribution for debt service for certain member municipalities in school administrative districts or community school districts when one or more member municipalities, but not all the school district's member municipalities, have a local contribution that is below the mill rate expectation established pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A. The bill provides an adjustment to the state contribution for debt service equivalent to the adjustments provided to the state share of the total allocation for school administrative units that are determined to be eligible for the adjustment to the state contribution for debt service pursuant to Title 20-A, section 15689, subsection 2, except that the adjustment for debt service for eligible member municipalities of these school districts must be made considering all debt service costs of the member municipality that have been placed on the State Board of Education's priority list for state funding of a school construction project before or after January 2005 instead of by January 2005 as otherwise required under Title 20-A, section 15689, subsection 2, paragraph A, subparagraph (2).

LD 1480 *An Act To Provide an Income Tax Credit for Donations to Maine Public Schools* **ONTP**

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

This bill provides an income tax credit for 30% of eligible donations to a public school for the purpose of supporting academic programs and services. The Department of Education is required to define eligible donations. Forty percent of eligible donations to the school may not be used to reduce state funding to the school administrative unit

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receiving the donation.

LD 1506 An Act To Reform Maine's School Funding

**ACCEPTED ONTP
REPORT**

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

This bill repeals the Essential Programs and Services Funding Act and related provisions. It establishes a new school funding formula that requires school administrative units to make a local education funding effort equal to .008 times the total valuation of taxable property within the unit. The State is required to fund education expenses that exceed this baseline. A local unit that does not meet this baseline funding requirement is not eligible for any state subsidy. The bill requires the Department of Education to audit school administrative units' budgets and to compare the expenses of schools of closely similar size.

LD 1525 An Act To Promote Compassion in Schoolchildren

ONTP

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

This bill requires the Commissioner of Education to prescribe by rule a course of study to instruct students in all grades, including home schooled students and students in private schools, on the principles of compassion and humanity to all living creatures, including animals and birds. The course must be at a minimum 1/2 hour per week during the school year.

LD 1532 An Act To Create a Service Model for Delivering Career and Technical Education

P & S 24

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM	H-224 S-372 ROTUNDO

LD 1532 appropriates \$30,000 for the start-up of the Sanford Applied Technology Center.

Committee Amendment "A" (H-224)

This amendment clarifies the purpose of the funding and increases the appropriation from \$30,000 to \$50,000.

Senate Amendment "A" (S-372)

This amendment decreases the appropriation from \$50,000 to \$5,000.

Enacted Law Summary

Private and Special Law 2007, chapter 24 provides a one-time appropriation of \$5,000 for the Sanford vocational center to work with affiliated school administrative units to research and develop programming for a regional career and technical education center.

Joint Standing Committee on Education and Cultural Affairs

LD 1564 Resolve, To Encourage Financial Education of Children from Kindergarten to Grade 12

RESOLVE 132

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRIEST	OTP-AM	H-402 S-355 ROTUNDO

LD 1564 requires the Treasurer of State to organize a seminar in November 2007 for training in teaching financial literacy to students from kindergarten to grade 12, paid for from available funds in the Unclaimed Property Fund. This resolve also directs the Department of Education to allow the seminar to qualify for continuing education credits for teachers and education personnel.

Committee Amendment "A" (H-402)

This amendment adds the Maine Community College System to the parties the Treasurer of State is directed to work with in organizing the seminar. It removes language relating to the Department of Education's allowing the seminar to qualify for credits for continuing education. It also adds an appropriations and allocations section to the resolve.

Senate Amendment "A" (S-355)

This amendment removes the General Fund appropriation of \$15,000 in fiscal year 2007-08. It also provides a one-time Other Special Revenue Funds allocation to the financial literacy program within the Office of the Treasurer of State of \$15,000 for fiscal year 2007-08 to establish an account and to allow it to receive one-time funds transferred from the unobligated balances of the Office of Consumer Credit Regulation. This allocation will fund the additional costs associated with hosting a statewide seminar on teaching financial literacy to public school students, including speakers, materials and food.

Enacted Law Summary

Public Law 2007, chapter 132 provides a one-time Other Special Revenue Funds allocation to the financial literacy program within the Office of the Treasurer of State of \$15,000 for fiscal year 2007-08 to establish an account and to allow it to receive one-time funds transferred from the unobligated balances of the Office of Consumer Credit Regulation. This allocation will fund the additional costs associated with hosting a statewide seminar on teaching financial literacy to public school students, including speakers, materials and food.

LD 1565 Resolve, To Expand Access to Early Childhood Education to All Children 4 Years of Age and Older

ONTP

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

This resolve requires the Department of Education to develop a pilot program to provide up to 2 years of preschool education to children 4 years of age and older. The objective of the pilot program is to prepare children for learning in the mainstream public school system through individualized attention with a focus on cognitive skills and social development and a de-emphasis on testing.

Joint Standing Committee on Education and Cultural Affairs

LD 1590 An Act To Clarify the Method of Education Cost Sharing among Certain Municipalities

INDEF PP

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

This bill clarifies that certain provisions of the Essential Programs and Services Funding Act that govern cost sharing among municipalities in a school administrative district or community school district do not apply to municipalities that are members of a school administrative district or a community school district whose cost sharing formula was validated pursuant to private and special law prior to January 1, 2004. Current law provides an exemption from those provisions for municipalities whose formulas were established pursuant to private and special law.

LD 1591 An Act To Provide Educational Opportunities for Dependents of Maine Military Personnel

ONTP

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

Current law provides a tuition waiver to a state-supported postsecondary school to a child of a veteran; room and board is not included. This bill includes room and board in the waiver for a child of a veteran when that child is a full-time student.

LD 1608 An Act To Require Legislative Review of Rules Governing the Requirements for Local Support Systems Required as Part of the Certification Process of Educational Personnel

DIED BETWEEN HOUSES

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

This bill requires rules adopted by the Department of Education, State Board of Education concerning support systems required as part of the certification of educational personnel be major substantive rules under the Maine Administrative Procedure Act and suspends all rulemaking of a rule that is not a major substantive rule.

LD 1619 An Act To Amend the Laws Regarding Adult Education

PUBLIC 131

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

LD 1619 updates the provisions governing adult education to ensure that the definitions used, the programs described, the eligibility and funding requirements and reimbursement rates in statute reflect other changes in education law and changes in policy objectives that have occurred since the adult education statutes were last amended.

Enacted Law Summary

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Public Law 2007, chapter 131 updates the provisions governing adult education. It also includes warrant language for raising, appropriating, receiving and expending money for adult education and educational activities and provides an enhanced description of the funding to be requested annually for the State's administration of the adult education program. It also enacts a provision to ensure that adult education students are provided information regarding and referral to other state departments and agencies.

LD 1624 An Act To Hold School Systems to the Same Spending Limits as Municipalities **ONTP**

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

This bill imposes an additional limit on spending of a school administrative unit equal to the average of the municipal property tax levy limits of the municipalities within the unit.

LD 1634 An Act To Reduce School Construction Costs **ONTP**

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

LD 1634 is a concept draft. The purpose of the bill is to require the State to develop one basic school construction design for kindergarten to grade 8 schools and one basic school construction design for secondary schools. The designs must provide for expansion of the schools if additional capacity is needed after original construction. Materials to be used in the construction of the designs must be selected for their safety and energy efficiency. This bill also requires that the compensation paid for the architectural services for the basic school construction designs must be based on the provision of the architectural design services and may not be tied to the value of the materials used in the construction of any school building.

LD 1638 Resolve, To Limit the Department of Education's Rulemaking in the Area of Special Education to Matters Required To Align State Rules with Federal Law **ONTP**

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

This resolve directs the Department of Education to limit the proposed rules it submits to the Joint Standing Committee on Education and Cultural Affairs regarding special education for children 6 years of age or older and under 21 years of age to those necessary to align state rules with federal regulations. The department shall file a report by December 30, 2007.

LD 1683 An Act To Appropriate Funds for the Katahdin Cultural Center **ACCEPTED ONTP REPORT**

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

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LD 1683 appropriates \$125,000 for the one-time start-up funding for the Katahdin Cultural Center.

**LD 1694 An Act To Establish the Publicly Supported Private Secondary School
Advisory Council**

PUBLIC 342

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASTINGS	OTP-AM MAJ ONTP MIN	H-465 NORTON S-157

LD 1694 establishes the Town Academy Advisory Council in the Department of Education. The council is required to advise the Commissioner of Education on the needs of the town academies and to facilitate communication among the academies, the department and school superintendents.

Committee Amendment "A" (S-157)

This amendment is the majority report. It clarifies the term "town academy." It adds a member of a school board to the advisory council. It also specifies the terms of appointment and staggers terms for initial appointments.

House Amendment "B" (H-465)

This amendment replaces the term "town academy" with "publicly supported private secondary school" and defines "publicly supported private secondary school."

Enacted Law Summary

Public Law 2007, chapter 342 establishes the Publicly Supported Private Secondary Schools Advisory Council in the Department of Education. Its members are unpaid gubernatorial appointees representing heads and trustees of publicly supported private secondary schools and public school superintendents. The council is required to advise the Commissioner of Education on the needs of the publicly supported private secondary schools and to facilitate communication among these schools, the department and school superintendents.

**LD 1721 An Act Regarding the Sharing of Educational Costs in School
Administrative Units of Multiple Municipalities**

**ACCEPTED ONTP
REPORT**

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

This bill changes the cost-sharing formula for municipalities in school administrative units composed of more than one municipality. Beginning July 1, 2009, each municipality's contribution to the total cost of education is determined by a cost-sharing formula established by the Department of Education by rule. The formula must establish the contribution levels in a manner that ensures that no less than 50% of the entire unit's contribution to the total cost of education is shared primarily on the basis of the comparative wealth of each member municipality calculated at least in part by the property fiscal capacity of each municipality. The formula must also include the relative pupil counts of member municipalities and may include other factors the department determines relevant and appropriate. The department is directed to establish the details of the formula by routine technical rule.

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LD 1722 An Act To Allow the Creation of a School District in Northern Franklin County

ACCEPTED ONTP REPORT

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

This bill allows a school administrative unit that is a municipality or school administrative district to combine with another school administrative district to create a larger school administrative district. This bill also allows unincorporated townships to join or create school administrative districts upon petition by 10% or more of the voters of the township and upon election within the township. At a special meeting, the township selects representatives to act as municipal officers and the municipal clerk.

LD 1758 Resolve, To Promote Alternative Schools within Existing School Systems

RESOLVE 124

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MUSE	OTP-AM	H-194

LD 1758 establishes the Alternative Education Programs Committee. The committee is directed to review and make recommendations for the promotion of alternatives in education within existing school systems.

Committee Amendment "A" (H-194)

This amendment removes the emergency preamble and emergency clause and corrects a reference to a committee.

Enacted Law Summary

Resolve 2007, chapter 124 establishes the Alternative Education Programs Committee. The committee is directed to review existing alternative education programs and examine their benefits for youth at risk. The Alternative Education Programs Committee is required to submit a report with recommendations to the Joint Standing Committee on Education and Cultural Affairs and is authorized to introduce legislation related to its report no later than December 19, 2007.

LD 1766 An Act To Amend the Authorization Procedures for Certain Municipal and School Budgets

ONTP

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

This bill simplifies the articles that must be submitted to the voters of a school administrative unit to authorize the raising and appropriation of funds. It also makes more transparent the categories of spending in which any municipality or district may exceed essential programs and services costs.

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

PUBLIC 267

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

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

Committee Amendment "A" (H-311)

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

Enacted Law Summary

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

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

**RESOLVE 71
EMERGENCY**

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

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

Committee Amendment "A" (H-312)

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

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

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levels;

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

Enacted Law Summary

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

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

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

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

**RESOLVE 43
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

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

Enacted Law Summary

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

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

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

**ACCEPTED ONTP
REPORT**

Sponsor(s)

Committee Report

Amendments Adopted

NORTON

ONTP MAJ
OTP-AM MIN

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

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

PUBLIC 450

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-624 NORTON S-267 S-296 MITCHELL

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

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

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8. Requiring the Department of Education and the Department of Health and Human Services to develop rules, policies and written interagency agreements by January 31, 2008 to address mutual support for children with special needs from birth to 8 years of age; to assign responsibility for appropriate referrals from the Department of Health and Human Services to early intervention and special education services, including referrals to the Child Development Services System from the metabolic abnormality detection program, the newborn hearing program and the birth defects registry; to include components of a high-quality early childhood services system as outlined in the report of the Subcommittee To Study Early Childhood Special Education; to include clear definition of Department of Education and Department of Health and Human Services positions assigned to accomplish the responsibilities outlined in the interagency agreements; and to include other components consistent with recommendations of the subcommittee;
9. Establishing the Early Childhood Services Interagency Coordinating Council as the federally mandated state interagency coordinating council for services for children from birth until 5 years of age under the federal Individuals with Disabilities Education Act with specific membership requirements under federal and state law to advise and report on common standards, interagency focus areas, annual progress, monitoring and reporting, centralized interdepartmental training and tracking and development of centralized data;
10. Requiring that staff for the Early Childhood Services Interagency Coordinating Council be provided by the Department of Education and the Department of Health and Human Services and requiring the council to deliver reports and advice to the Commissioner of Education, the Commissioner of Health and Human Services, the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services;
11. Requiring the Maine Education Policy Research Institute in the University of Maine System to explore and report to the Joint Standing Committee on Education and Cultural Affairs on necessary technical and legal advances that would enable data linkage of individually identifiable health and education data in a way that would be consistent with federal laws and regulations on privacy while facilitating research projects on such matters as effectiveness, efficiency and cost-effectiveness of service delivery;
12. Requiring the Child Development Services System to report on strategies to maximize the use of a broad base of community resources, including private providers, public schools, resources from other agencies and other available resources for serving children and families;
13. Assigning to the Child Development Services System the responsibility for service coordination for eligible children from birth until 5 years of age, for child find for children from birth until 5 years of age, for appropriate referrals to support services and programs outside of the system that are appropriate for children and families referred to the system and for ensuring that eligible children from birth until 5 years of age receive early intervention or free, appropriate public education as well as referrals to other programs and services based upon child and family needs;
14. Requiring the Department of Education to develop and present to the Legislature and to the Early Childhood Services State Interagency Coordinating Council a plan for improving training and support to Child Development Services System regional site boards of directors;
15. Allowing public schools to continue to develop, at their own pace, programs for children 4 years of age while requiring that those programs be inclusive of children with disabilities;
16. Changing the deadline for fiscal centralization in the Maine Revised Statutes, Title 20-A, section 7209, subsection 3, paragraph C from September 30, 2006 to September 30, 2007;
17. Requiring the Commissioner of Education to report to the Joint Standing Committee on Education and Cultural Affairs by December 31, 2007 on the Child Development Services System centralization process and authorizing the

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committee to introduce a bill to the Second Regular Session of the 123rd Legislature on related matters;

18. Requiring the Department of Education, in consultation with Child Development Services System regional sites, to develop a funding formula that must include consideration of administration and organization of the Child Development Services System, child find, case management and provision of other services and that may include each regional site's geographic area, the early childhood population, the number of such children receiving services and the number of such children included in the child count, the Medicaid enrollment rate, poverty indices, average private insurance rates, family choice of providers, cost containment measures and other factors;

19. Amending Title 20-A, section 7209, subsection 1 to require the Department of Education to submit quarterly reports to the Early Childhood Services Interagency Coordinating Council and other 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;

20. Requiring the Department of Education to develop a plan to review unmet needs in school administrative units monthly or bimonthly and to implement the plan among no fewer than 6 school administrative units; and

21. Requiring the Department of Education to explore the process that children undergo as they transition from the Child Development Services System to kindergarten in order to develop a consistent method for these transitions.

Committee Amendment "A" (S-267)

This amendment strikes and replaces the bill to implement certain recommendations of the Subcommittee To Study Early Childhood Special Education, which was established by Public Law 2005, chapter 662 to study early intervention and early childhood special education services for children from birth to 8 years of age. The amendment accomplishes the following recommendations of the subcommittee.

1. It assigns to the Child Development Services System the responsibility for service coordination for eligible children from birth until 5 years of age, for child find for children from birth until 5 years of age, for appropriate referrals to support services and programs outside of the system that are appropriate for children and families referred to the system and for ensuring that eligible children from birth until 5 years of age receive early intervention or free, appropriate public education as well as referrals to other programs and services based upon child and family needs.

2. It expands connections of federally mandated child find and service delivery with school administrative units, with programs of the Department of Health and Human Services and with medical and other providers of services to children from birth until 5 years of age.

3. It requires the Department of Education and the Department of Health and Human Services to develop a revised interagency agreement to address mutual support for children with special needs from birth to 8 years of age; to assign responsibility for appropriate referrals from the Department of Health and Human Services to early intervention and special education services, including referrals to the Child Development Services System from the metabolic abnormality detection program, the newborn hearing program and the birth defects registry; to include components of a high-quality early childhood services system consistent with the requirements of Parts B and C of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., as amended.

4. It requires the Child Development Services System to report annually to legislative, advisory and governing bodies about the performance of the system, including information on the performance of individual regional sites and of the system.

5. It requires the Department of Education to develop and present to the Legislature and to the interagency coordinating council described in the federal Individuals with Disabilities Education Act, 20 United States Code,

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Section 1441 a plan for improving training and support to Child Development Services System regional site boards of directors.

6. It requires the Maine Education Policy Research Institute in the University of Maine System to explore and report to the Joint Standing Committee on Education and Cultural Affairs on necessary technical and legal advances that would enable data linkage of individually identifiable health and education data in a way that would be consistent with federal laws and regulations on privacy while facilitating research projects on such matters as effectiveness, efficiency and cost-effectiveness of service delivery.

Senate Amendment "A" (S-296)

This amendment requires the Department of Education and the Department of Health and Human Services to develop rules, policies and written interagency agreements to assign responsibility for appropriate referrals from the Department of Health and Human Services to the Child Development Services System from the metabolic abnormality detection program, the newborn hearing program and the birth defects registry.

House Amendment "A" (H-624)

This amendment requires the steering committee of the Maine Education Policy Research Institute to consider the recommendation of the Subcommittee To Study Early Childhood Special Education to explore and report to the Joint Standing Committee on Education and Cultural Affairs on necessary technical and legal advances that would enable data linkage of individually identifiable health and education data in a way that would be consistent with federal laws and regulations on privacy while facilitating research projects on such matters as effectiveness, efficiency and cost-effectiveness of service delivery. It differs from Committee Amendment "A" in that this amendment allows the steering committee of the Maine Education Policy Research Institute to include a targeted research project to the fiscal year 2007-08 work plan to permit the principal investigators of the Maine Education Policy Research Institute to provide technical assistance as may be required to complete the investigation outlined in this amendment.

Enacted Law Summary

Public Law 2007, chapter 450 implements certain recommendations of the Subcommittee To Study Early Childhood Special Education, which was established by Public Law 2005, chapter 662 to study early intervention and early childhood special education services for children from birth to 8 years of age. The law accomplishes the following recommendations of the subcommittee.

1. It assigns to the Child Development Services System the responsibility for service coordination for eligible children from birth until 5 years of age, for child find for children from birth until 5 years of age, for appropriate referrals to support services and programs outside of the system that are appropriate for children and families referred to the system and for ensuring that eligible children from birth until 5 years of age receive early intervention or free, appropriate public education as well as referrals to other programs and services based upon child and family needs.
2. It expands connections of federally mandated child find and service delivery with school administrative units, with programs of the Department of Health and Human Services and with medical and other providers of services to children from birth until 5 years of age.
3. It requires the Department of Education and the Department of Health and Human Services to develop a revised interagency agreement to address mutual support for children with special needs from birth to 8 years of age; to assign responsibility for appropriate referrals from the Department of Health and Human Services to early intervention and special education services, including referrals to the Child Development Services System from the metabolic abnormality detection program, the newborn hearing program and the birth defects registry; to include components of a high-quality early childhood services system consistent with the requirements of Parts B and C of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., as amended.

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4. It requires the Child Development Services System to report annually to legislative, advisory and governing bodies about the performance of the system, including information on the performance of individual regional sites and of the system.
5. It requires the Department of Education to develop and present to the Legislature and to the interagency coordinating council described in the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1441 a plan for improving training and support to Child Development Services System regional site boards of directors.
6. It requires the Department of Education and the Department of Health and Human Services to develop rules, policies and written interagency agreements to assign responsibility for appropriate referrals from the Department of Health and Human Services to the Child Development Services System from the metabolic abnormality detection program, the newborn hearing program and the birth defects registry.
7. It requires the steering committee of the Maine Education Policy Research Institute to consider the recommendation of the Subcommittee To Study Early Childhood Special Education to explore and report to the Joint Standing Committee on Education and Cultural Affairs on necessary technical and legal advances that would enable data linkage of individually identifiable health and education data in a way that would be consistent with federal laws and regulations on privacy while facilitating research projects on such matters as effectiveness, efficiency and cost-effectiveness of service delivery.

**LD 1859 An Act To Prepare All Maine Students for Postsecondary Education,
Career and Citizenship**

PUBLIC 259

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORTON	OTP-AM	H-313

This bill proposes changes in high school graduation requirements, assessments and overall high school program design to ensure that each student has an equitable opportunity to achieve the State's learning results and to graduate ready for college, career and citizenship.

Committee Amendment "A" (H-313)

This amendment strikes the provisions contained in the bill regarding the basic school approval requirements for secondary schools related to curriculum and instruction, the provisions related to the awarding of a high school diploma, the provisions related to the elimination of tracking and ability grouping of students and the provisions requiring that the Commissioner of Education develop rules for the certification of instructional programs at the secondary school level. The amendment also changes "college" to "postsecondary education" in the Maine Revised Statutes, Title 20-A, section 6208.

Enacted Law Summary

Public Law 2007, chapter 259 amends several statutory provisions related to implementation of the system of learning results. The law accomplishes the following.

1. It clarifies that the legislative intent of the system of learning results is to ensure that schools will enable students to gain knowledge and skills necessary for postsecondary education, career and citizenship;
2. It strikes the local assessment system requirements related to certifying student achievement and replaces these provisions with requirements that school administrative units shall use multiple assessment methods to measure student achievement of the learning results in order to inform instruction and ensure students are making progress toward achieving the learning results;

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3. It provides that the Department of Education shall adopt rules that establish accountability standards and parameters for instruction and graduation requirements;
4. It authorizes the Commissioner of Education to establish rules for inclusion of some portion of the standards in visual and performing arts for the graduating class of 2011-2012;
5. It provides that the Commissioner of Education shall annually report each school administrative unit's high school graduation rates, the numbers of students attending and persisting at the postsecondary education level as part of the validation of the school administrative unit's comprehensive education plan; and
6. It directs the Commissioner of Education to conduct a review of the content standards and performance indicators by content area on a 5-year cycle beginning in the 2015-2016 school year.

**LD 1860 An Act To Implement the Recommendations of the Task Force To
Engage Maine's Youth Regarding Successful School Completion**

PUBLIC 451

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY MITCHELL	OTP-AM	H-474

This bill implements the recommendations of the Governor's Task Force to Engage Maine's Youth. The bill ensures that students experiencing education disruption will have the same opportunities as other Maine students to earn an approved high school diploma through a challenging academic program that provides these students the opportunity to demonstrate achievement of Maine's system of learning results and to earn a diploma despite their education disruption.

This bill addresses the challenges of Maine youth who are homeless or face unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or other out-of-district placement that is not otherwise authorized by either an individualized education program or other education plan or a superintendent's agreement, or children and youth who change schools or educational programs 3 or more times during a school year and are therefore at risk for dropping out of school. The bill carries out the recommendations of the task force to address the challenges faced by these students and their schools as follows:

1. A student who experiences a disruption in that student's education or educational program for 10 or more consecutive school days must have a school completion plan, developed by a team that includes both the sending school and the receiving school, the parent or guardian and the student, no later than 10 school days after the student enrolls in the receiving school;
2. The bill requires that if individual educational materials, such as curricula and assignments, are not made available to the receiving school within 5 school days after a student enrolls in the receiving school, an academic programming waiver must be signed by the sending and the receiving schools in which the sending school agrees to accept the academic programming implemented at the receiving school. The student's school completion plan must document the credits earned by the student at the receiving school; and
3. This bill requires that student records be sent or electronically transferred from the sending school to the receiving school no later than 5 school days after a student enrolls in the receiving school.

Committee Amendment "A" (H-474)

This amendment strikes and replaces the bill in order to clarify certain provisions of the legislation introduced to implement the recommendations of the Governor's Task Force to Engage Maine's Youth. The primary purpose of the bill was to meet the needs of students experiencing education disruption by establishing a process to recognize

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their academic work while creating manageable procedures for school personnel and other officials that are involved with these students. The amendment accomplishes the following:

1. It revises the definition of the term "students who experience education disruption" to clarify that these students include both elementary school students and secondary school students;
2. It adds a definition for "interim placement" to make the distinction that such a placement is a temporary assignment of a student who experiences education disruption to a program or school approved by the Department of Education;
3. It replaces the term "school completion plan" with the term "school work recognition plan" to convey that the intent of the plan is to recognize the school work completed by a student who experiences education disruption; and
4. It simplifies the process for school personnel in developing a school work recognition plan for a student who experiences education disruption.

Enacted Law Summary

Public Law 2007, chapter 451 implements certain recommendations of the Governor's Task Force to Engage Maine's Youth. The law enacts provisions to meet the needs of students experiencing education disruption by establishing a process to recognize their academic work while creating manageable procedures for school personnel and other officials that are involved with these students. The law accomplishes the following:

1. It revises the definition of the term "students who experience education disruption" to clarify that these students include both elementary school students and secondary school students;
2. It adds a definition for "interim placement" to make the distinction that such a placement is a temporary assignment of a student who experiences education disruption to a program or school approved by the Department of Education;
3. It replaces the term "school completion plan" with the term "school work recognition plan" to convey that the intent of the plan is to recognize the school work completed by a student who experiences education disruption; and
4. It simplifies the process for school personnel in developing a school work recognition plan for a student who experiences education disruption.

LD 1886 An Act To Assess Childhood Obesity Trends in Maine

ONTP

Sponsor(s)

CAIN

Committee Report

ONTP

Amendments Adopted

LD 1886 requires confidential assessments of either height and weight or body mass of all students, by gender, in kindergarten and grades 1, 3, 5, 7 and 9 in public schools and approved private schools and analysis and reporting of this data. The program is phased in over a 3-year period, beginning August 31, 2008. The Department of Education, in collaboration with the Department of Health and Human Services, Maine Center for Disease Control and Prevention, is required to submit an annual report to the Legislature regarding the assessments.

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**LD 1900 Resolve, Regarding Legislative Review of Portions of Chapter 101:
Maine Unified Special Education Regulation Birth to Age Twenty, a
Major Substantive Rule of the Department of Education**

**RESOLVE 138
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-562
	OTP-AM MIN	H-627 MARLEY

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

Committee Amendment "A" (H-562)

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 amending the provisionally adopted rule to accomplish the following:

1. Amend the proposed definition of "adverse effect" to establish a definition for "educational performance" that includes a list of academic basic skills and the 5 domains of functional performance recognized in federal regulations. This part of the rule interprets and defines the phrases from federal law "adversely affects educational performance" and "needs special educational and related services" in a way that will guide the Individualized Family Service Plan Team or the Individualized Education Plan Team to greater uniformity in determining eligibility throughout the State;

2. Amend the proposed rule to require that an initial evaluation or a reevaluation of a child be conducted within 60 calendar days of receiving parental consent for the evaluation;

3. Amend the proposed rule to delete the note that states that a school administrative unit is permitted to use a discrepancy model to determine if a child has a "specific learning disability";

4. Amend the proposed rule to permit the Individualized Education Program Team to begin transition planning at age 14 for the student's postsecondary participation in advanced placement courses, a vocational education program or an adult education program;

5. Amend the proposed rule to clarify that the timeline for filing a due process hearing request is 2 years for either a state or federal cause of action under the federal Individuals with Disabilities Education Act, as amended;

6. Amend the proposed rule to incorporate provisions that are equivalent to those contained in the former Chapter 101 rules pertaining to the minutes of Pupil Evaluation Team meetings to ensure that content of the written notice must include a summary of the comments made by the parent, including the parent's description of their child's progress, and the names and titles of each member of the team;

7. Amend the proposed rule to restore the so-called "stay put" provisions contained in the former Chapter 101 rules that permit a child with a disability to remain in their educational placement while the child's parent was seeking mediation or a complaint investigation and awaiting a pending decision from a due process hearing or court proceeding; and

8. Amend the proposed rule to provide that Neurocognitive Testing Assistants who are registered with the Maine Psychological Association shall continue to be able to administer and score psychological and neurological tests as long as they meet the minimum qualifications established for registration and when they are supervised by a psychologist who is the evaluator and who is licensed by the Department of Professional and Financial Regulation

Joint Standing Committee on Education and Cultural Affairs

Board of Examiners of Psychologists.

House Amendment "C" (H-627)

This amendment removes the requirements proposed in the committee amendment that the rule be amended to establish a definition of the term "educational performance," to define certain other phrases with reference to the federal regulations and to identify what is necessary for documenting intervention strategies. It requires that the rule be amended by deleting the part of the rule relating to the determination of adverse effect for children 3 to 20.

The amendment changes the timeline for filing a due process hearing request for either a state or federal cause of action under the federal Individuals with Disabilities Education Act from 2 years to 4 years.

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

Enacted Law Summary

Resolve 2007, chapter 138 provides that final adoption of the provisionally adopted major substantive rule is authorized contingent upon the Department of Education amending the provisionally adopted rule to accomplish the following:

1. Amend the proposed rule by deleting the part of the rule relating to the determination of adverse effect for children 3 to 20.
2. Amend the proposed rule to require that an initial evaluation or a reevaluation of a child be conducted within 60 calendar days of receiving parental consent for the evaluation;
3. Amend the proposed rule to delete the note that states that a school administrative unit is permitted to use a discrepancy model to determine if a child has a "specific learning disability";
4. Amend the proposed rule to permit the Individualized Education Program Team to begin transition planning at age 14 for the student's postsecondary participation in advanced placement courses, a vocational education program or an adult education program;
5. Amend the proposed rule to clarify that the timeline for filing a due process hearing request is 4 years for either a state or federal cause of action under the federal Individuals with Disabilities Education Act, as amended;
6. Amend the proposed rule to incorporate provisions that are equivalent to those contained in the former Chapter 101 rules pertaining to the minutes of Pupil Evaluation Team meetings to ensure that content of the written notice must include a summary of the comments made by the parent, including the parent's description of their child's progress, and the names and titles of each member of the team;
7. Amend the proposed rule to restore the so-called "stay put" provisions contained in the former Chapter 101 rules that permit a child with a disability to remain in their educational placement while the child's parent was seeking mediation or a complaint investigation and awaiting a pending decision from a due process hearing or court proceeding; and
8. Amend the proposed rule to provide that Neurocognitive Testing Assistants who are registered with the Maine Psychological Association shall continue to be able to administer and score psychological and neurological tests as long as they meet the minimum qualifications established for registration and when they are supervised by a psychologist who is the evaluator and who is licensed by the Department of Professional and Financial Regulation

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Board of Examiners of Psychologists.

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

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

LD 1901 Resolve, To Analyze the Feasibility of Establishing an Education Bill of Rights for Deaf and Hard-of-hearing Children

RESOLVE 94

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

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

Committee Amendment "A" (H-468)

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

Enacted Law Summary

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

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SUBJECT INDEX

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

Enacted

LD 34	Resolve, Regarding Legislative Review of Portions of Chapter 28: Closing a School in the Unorganized Territory, a Major Substantive Rule of the Department of Education	RESOLVE 7 EMERGENCY
LD 151	An Act To Include Student Representation on the State Board of Education	PUBLIC 200
LD 481	Resolve, Directing the Department of Education To Review and Assess Distance Learning Opportunities for High School Students	RESOLVE 11
LD 560	An Act To Integrate the Approval of Early Childhood Education Plans for Children 4 Years of Age into Basic School Approval for Elementary Schools	PUBLIC 141
LD 791	An Act To Ensure Equitable Geographic Representation on the State Board of Education	PUBLIC 179
LD 910	An Act To Permit Public Schools in the Lower Kennebec River Area To Regionalize To Achieve Efficiency and Improve Quality	P & S 25
LD 1123	Resolve, Relating to the Wells-Ogunquit Community School District	RESOLVE 129
LD 1785	An Act To Permit Automated External Defibrillators in Kindergarten to Grade 12 Schools	PUBLIC 267

Not Enacted

LD 90	An Act To Provide State Funding for Fingerprinting of Educational Personnel	ACCEPTED ONTP REPORT
LD 370	Resolve, To Reduce the Number of School Administrative Units and Gain Administrative Efficiencies	ONTP
LD 464	An Act To Reform Public Education by Encouraging Regional Approaches	ONTP
LD 465	An Act To Prohibit School Administrative Units from Advocating in Political Activity	ONTP
LD 470	An Act To Add Ten Days to the School Year	ONTP
LD 483	An Act To Require That Public Schools Start after Labor Day	ACCEPTED ONTP REPORT

LD 835	An Act To Encourage School Administrative Units To Collaborate with Other School Administrative Units	ONTP
LD 853	An Act To Encourage Efficiency in School Administration	ONTP
LD 930	An Act To Regionalize Supervision of Students in the Unorganized Territory	ONTP
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LD 1152	An Act To Improve Public Education in Maine	CARRIED OVER
LD 1175	An Act To Apply Municipal Nepotism Policies to Municipal School Units	ONTP
LD 1186	An Act To Establish Educational Excellence for the Towns of Corinna, Etna, Dixmont, Hartland, Newport, Palmyra, Plymouth and St. Albans	ONTP
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LD 1565	Resolve, To Expand Access to Early Childhood Education to All Children 4 Years of Age and Older	ONTP
LD 1722	An Act To Allow the Creation of a School District in Northern Franklin County	ACCEPTED ONTP REPORT
LD 1886	An Act To Assess Childhood Obesity Trends in Maine	ONTP

Adult Education

Enacted

LD 1619	An Act To Amend the Laws Regarding Adult Education	PUBLIC 131
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Alternative Education, Charter Schools and School Choice

Enacted

LD 1694	An Act To Establish the Publicly Supported Private Secondary School Advisory Council	PUBLIC 342
LD 1758	Resolve, To Promote Alternative Schools within Existing School Systems	RESOLVE 124

Not Enacted

LD 272	An Act To Create Charter Programs within Existing Schools	ONTP
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LD 453 An Act To Enhance the Choices for Children and Parents from Areas without Public Secondary Schools ONTP

LD 1325 An Act To Ensure Adequate Funding for Students of Alternative Schools ONTP

Career and Technical Education

Enacted

LD 1532 An Act To Create a Service Model for Delivering Career and Technical Education P & S 24

Cultural Affairs

Enacted

LD 1257 An Act Regarding the Terms of Members of the Maine State Museum Commission PUBLIC 100
EMERGENCY

Not Enacted

LD 672 An Act To Strengthen the Scientific Research Support Capability of the Maine State Museum CARRIED OVER

LD 1683 An Act To Appropriate Funds for the Katahdin Cultural Center ACCEPTED ONTP
REPORT

Curriculum, Instruction, Textbooks and Testing

Enacted

LD 1040 Resolve, Directing the Department of Education To Encourage School Administrative Units To Encourage Secondary School Students To Apply to College RESOLVE 122

LD 1442 Resolve, To Increase Physical Education for Elementary School Students RESOLVE 102

LD 1564 Resolve, To Encourage Financial Education of Children from Kindergarten to Grade 12 RESOLVE 132

LD 1821 Resolve, Regarding Legislative Review of Portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a Major Substantive Rule of the Department of Education RESOLVE 71
EMERGENCY

LD 1859 An Act To Prepare All Maine Students for Postsecondary Education, Career and Citizenship PUBLIC 259

Not Enacted

LD 196 An Act To Modify the Maine Learning Results System CARRIED OVER

LD 985 An Act To Include Family Life Skills in the System of Learning Results ONTP

LD 1281	Resolve, Requiring the Department of Education To Issue Rules Adopting the Northwest Evaluation Association's Assessment System as an Approved Method of Meeting Learning Results	ONTP
LD 1292	An Act To Ensure the Provision of Necessary Conditions for Effective Education Reform	ONTP
LD 1385	An Act To Strengthen Arts Education for All Maine Students	ACCEPTED ONTP REPORT
LD 1427	Resolve, To Evaluate Parenting Education and To Develop Parenting Resources in Maine High Schools	ONTP
LD 1525	An Act To Promote Compassion in Schoolchildren	ONTP

Education - Other

Enacted

LD 184	An Act To Protect Children's Health on School Grounds	PUBLIC 156
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Postsecondary Education Finance and Student Aid

Enacted

LD 1103	Resolve, To Determine the Impact of Funding for State Higher Education on the Distribution of Higher Education Costs among Families, Taxpayers and Publicly Supported Institutions of Higher Education	RESOLVE 119
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Not Enacted

LD 821	Resolve, To Make University of Maine System Tuition Affordable	ONTP
LD 929	An Act To Promote Legal Services in Rural Maine	ACCEPTED ONTP REPORT
LD 1013	An Act To Offer Tuition Waivers for State Higher Education Facilities to Eligible Veterans	ONTP
LD 1020	An Act To Renew the Promise of Higher Education	DIED ON ADJOURNMENT
LD 1333	An Act To Develop an Equitable Funding Formula for the University of Maine System Campuses	ONTP
LD 1591	An Act To Provide Educational Opportunities for Dependents of Maine Military Personnel	ONTP

Postsecondary Education Governance and Coordination

Enacted

LD 221	Resolve, Requiring the Maine Community College System To Return Real Property and Buildings to the City of Eastport	RESOLVE 116
LD 271	An Act To Permit Andover College To Issue Degrees under New Ownership	P & S 2 EMERGENCY
LD 462	An Act Authorizing the Institute for Doctoral Studies in the Visual Arts To Confer the Degree of Doctor of Visual Arts	P & S 1 EMERGENCY
LD 1178	An Act To Update and Clarify Laws Relating to Maine's Community Colleges	PUBLIC 67

Not Enacted

LD 123	An Act To Establish a Labor Center within the University of Maine System and To Restore Lost Funding to the Bureau of Labor Education	CARRIED OVER
LD 123	An Act To Establish a Labor Center within the University of Maine System and To Restore Lost Funding to the Bureau of Labor Education	CARRIED OVER
LD 884	An Act To Provide Funding to Postsecondary Marine Training Programs	ACCEPTED ONTP REPORT
LD 898	An Act To Increase Educational Opportunities in the Kennebec Valley Region	DIED ON ADJOURNMENT
LD 909	An Act To Support Central Maine Community College	DIED ON ADJOURNMENT
LD 928	An Act To Make Higher Education More Efficient and More Economical	ONTP
LD 1220	An Act To Ensure Continued Education in Boatbuilding at the Marine Technology Center	ONTP
LD 1465	Resolve, To Establish a Pilot Program for a Trimester Schedule at the University of Maine at Presque Isle	ONTP

Safe Schools and Student Conduct

Enacted

LD 222	An Act To Ensure the Integrity of School Crisis Response Plans	PUBLIC 408
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Not Enacted

LD 1254	An Act To Modify the Student Code of Conduct	ONTP
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School Budgets

Not Enacted

LD 1195 An Act To Establish a Uniform Chart of Municipal Accounts ONTP

LD 1766 An Act To Amend the Authorization Procedures for Certain Municipal and School Budgets ONTP

School Construction, Facilities and Buses

Enacted

LD 88 Resolve, To Encourage the Use of Safe Chemicals in Public Schools RESOLVE 32

LD 150 An Act To Amend and Improve the Education Laws Concerning Portable Space and Rule-making Authority PUBLIC 111

Not Enacted

LD 20 Resolve, Prohibiting the Use of Carpeting in Schools ONTP

LD 343 An Act Regarding School Transportation ONTP

LD 1042 An Act To Establish Uniformity in School Building Construction BY REQUEST ONTP

LD 1473 An Act To Provide State Support for State-approved School Construction Projects in Certain Municipalities ONTP

LD 1634 An Act To Reduce School Construction Costs ONTP

School Finance

Enacted

LD 484 An Act To Adjust the School Funding Formula with Regard to Unorganized Territories PUBLIC 424

LD 967 Resolve, Regarding Legislative Review of Chapter 007: Implementation of the Essential Programs and Services Funding Model, a Major Substantive Rule of the Department of Education RESOLVE 134

Not Enacted

LD 44 An Act To Require Changes in the Essential Programs and Services Funding Formula Concerning Labor Market Areas ACCEPTED ONTP REPORT

LD 338 An Act Regarding the Labor Market Adjustment for Teacher Salary Costs under Essential Programs and Services Funding ONTP

LD 346 An Act To Increase State Funding of Public Education ONTP

LD 404	An Act To Limit Regional Adjustments to Teacher Salaries	ONTP
LD 448	An Act To Improve Equity in School Funding	ONTP
LD 482	Resolve, To Conduct an Objective and Independent Review of Essential Programs and Services	ONTP
LD 614	An Act To Modify the Essential Programs and Services Formula To Aid Rural School Districts	ONTP
LD 976	An Act To Encourage Cost Efficiency in Administration of and Contribution to Tax Burden Reduction by School Districts	ONTP
LD 979	An Act To Adjust the Calculation of the Essential Programs and Services Pupil Count to Accurately Reflect Population Change	ONTP
LD 1025	An Act To Reform Essential Programs and Services	ONTP
LD 1041	An Act To Improve the Essential Programs and Services Funding Formula	CARRIED OVER
LD 1324	An Act To Restore Income as a Factor in the Determination of Fiscal Capacity in the School Funding Formula	ONTP
LD 1366	An Act To Limit the Loss a School Administrative Unit Could Receive under the School Funding Formula	ONTP
LD 1368	An Act To Revise the Essential Programs and Services Funding Formula To Increase Equity in School Funding	ONTP
LD 1480	An Act To Provide an Income Tax Credit for Donations to Maine Public Schools	ONTP
LD 1506	An Act To Reform Maine's School Funding	ACCEPTED ONTP REPORT
LD 1590	An Act To Clarify the Method of Education Cost Sharing among Certain Municipalities	INDEF PP
LD 1624	An Act To Hold School Systems to the Same Spending Limits as Municipalities	ONTP
LD 1721	An Act Regarding the Sharing of Educational Costs in School Administrative Units of Multiple Municipalities	ACCEPTED ONTP REPORT
LD 1839	An Act To Further the Implementation of the Essential Programs and Services Funding Act	ACCEPTED ONTP REPORT

Special Education Programs and Finance

Enacted

LD 317	An Act To Increase the Availability of Public Education Services from Child Development Services	PUBLIC 430
LD 334	Resolve, Regarding Legislative Review of Portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites	RESOLVE 47 EMERGENCY
LD 836	An Act To Enhance Special Education	PUBLIC 307
LD 1850	An Act To Improve Efficiency and Effectiveness of Early Intervention and Early Childhood Special Education for Children from Birth to Eight Years of Age through Improved Oversight, Accountability and Interagency Coordination	PUBLIC 450
LD 1900	Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education	RESOLVE 138 EMERGENCY
LD 1901	Resolve, To Analyze the Feasibility of Establishing an Education Bill of Rights for Deaf and Hard-of-hearing Children	RESOLVE 94

Not Enacted

LD 1638	Resolve, To Limit the Department of Education's Rulemaking in the Area of Special Education to Matters Required To Align State Rules with Federal Law	ONTP
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Teachers and Administrators

Enacted

LD 974	Resolve, Requiring the Department of Education To Review the Personnel Preparation and Professional Development Opportunities for Special Purpose School Teachers	RESOLVE 20
LD 1831	Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Educational Personnel Part I and II, Requirements for Specific Certificates and Endorsements, a Major Substantive Rule of the Department of Education	RESOLVE 43 EMERGENCY

Not Enacted

LD 293	An Act To Address the Evaluations of Certain School Employees	DIED BETWEEN HOUSES
LD 410	An Act To Repeal the Certification and Authorization Fees for School Personnel	ACCEPTED REPORT A (ONTP)
LD 834	Resolve, To Create a Study Commission To Review and Report on the Possibility of Making All Public School Teachers in Maine Employees of the State	ACCEPTED ONTP REPORT
LD 1043	An Act Regarding Requirements for the Issuance and Renewal of Teaching Certificates	ONTP

LD 1367 **An Act To Address the Inequities of the Probationary Teacher Laws** **ONTP**

LD 1608 **An Act To Require Legislative Review of Rules Governing the Requirements for Local Support Systems Required as Part of the Certification Process of Educational Personnel** **DIED BETWEEN HOUSES**

Truants, Dropouts and Homeless Students

Enacted

LD 454 **An Act To Amend Truancy Laws Regarding Parent Involvement** **PUBLIC 304**

LD 468 **An Act To Amend the Laws Governing Compulsory School Attendance** **PUBLIC 143**

LD 1860 **An Act To Implement the Recommendations of the Task Force To Engage Maine's Youth Regarding Successful School Completion** **PUBLIC 451**

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