

MAINE STATE LEGISLATURE

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



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

STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

MEMBERS:

SEN. JUSTIN L. ALFOND, CHAIR
SEN. ELIZABETH M. SCHNEIDER
SEN. CAROL WESTON

REP. PATRICIA B. SUTHERLAND, CHAIR
REP. EDWARD D. FINCH
REP. ALAN M. CASAVANT
REP. RICHARD V. WAGNER
REP. STEPHEN D. LOVEJOY
REP. MARY PENNELL NELSON
REP. HELEN RANKIN
REP. DAVID E. RICHARDSON
REP. HOWARD E. MCFADDEN
REP. PETER B. JOHNSON

STAFF:

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
JILL IPPOLITI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Education and Cultural Affairs

LD 268

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization, and Approval of Education Personnel, Part I and Part II, a Major Substantive Rule of the Department of Education

**RESOLVE 12
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-47

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

Committee Amendment "A" (H-47)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2009, chapter 12 authorizes final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Part I and Part II, a major substantive rule of the Department of Education.

Resolve 2009, chapter 12 was finally passed as an emergency measure effective April 17, 2009.

LD 285

An Act To Amend the Laws Governing the Consolidation of School Administrative Units To Delay All Penalties for One Year

**PUBLIC 455
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHATZ SHERMAN	ONTP MAJ OTP-AM MIN	H-352

This bill delays any financial penalties imposed on a school administrative unit for nonconformance with the laws governing the reorganization of school administrative units until the fiscal year that begins on July 1, 2011.

Committee Amendment "A" (H-352)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment delays any financial penalties imposed on a school administrative unit for nonconformance with the laws governing the reorganization of school administrative units until the fiscal year that begins on July 1, 2010. The bill proposed to delay penalties for nonconforming school units for 2 years, or until the fiscal year beginning on July 1, 2011. The amendment also amends the title of the bill and adds an emergency preamble and an emergency clause to the bill.

This amendment allows school administrative units that have formed a regional school unit that has been approved at referendum and received a certificate of organization from the State Board of Education but is not yet operational to delay operation as a regional school unit for one year until July 1, 2010. The delay is only available if the approved budget of the regional school unit would result in an increase in the budget of at least 1/2 of the member school administrative units and the delay is approved by both the regional school unit board and the boards of the member school administrative units.