

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

July 2009

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# STATE OF MAINE

124<sup>TH</sup> 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 124<sup>th</sup> 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 124<sup>th</sup> 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 1126 An Act To Limit the Scope of Miscellaneous Costs within the General Purpose Aid for Local Schools Appropriation**

**PUBLIC 275**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	OTP-AM	S-209

This bill amends the law concerning the various elements of the "miscellaneous costs" component of the general purpose aid for local schools appropriation, or GPA appropriation. The premise of the bill is that the GPA appropriation should be either a general purpose subsidy to local schools or a state expenditure that provides direct educational services to students who would otherwise be served by the State's public elementary or secondary schools. The bill eliminates the Commissioner of Education's authority to use GPA funds to pay the personnel costs for a range of state employees who work for the Department of Education and provide only indirect support to the public education system. The bill eliminates a similar authority to use GPA funds to pay for the personnel costs of 3 teachers employed by the Department of Corrections. The bill also eliminates the authority to use GPA funds to pay for general education research conducted by the University of Maine, but it retains the authority to use GPA funds to cover a contract with the university to monitor and update the essential programs and services school funding model.

**Committee Amendment "A" (S-209)**

This amendment replaces the bill to incorporate changes in the law concerning the Commissioner of Education's funding level recommendations and the Governors recommendations for the annual appropriation to the General Purpose Aid for Local Schools program in the state budget. The amendment requires that the amounts appropriated for certain components of the Essential Programs and Services Funding Act that are proposed in any state budget must be shown in a sufficiently detailed and transparent form and manner to permit the Legislature and the citizens of the State to identify the changes in proposed funding for the components of the Essential Programs and Services Funding Act from the proposed budget without need for reference to other documents or explanations.

**Enacted Law Summary**

Public Law 2009, chapter 275 incorporates changes in the law concerning the Commissioner of Education's funding level recommendations and the Governor's recommendations for the annual appropriation to the General Purpose Aid for Local Schools program in the state budget. The law requires that the amounts appropriated for the adjustments and miscellaneous costs components of the Essential Programs and Services Funding Act that are proposed in any state budget must be shown in a sufficiently detailed and transparent form and manner to permit the Legislature and the citizens of the State to identify the changes in proposed funding for the components of the Essential Programs and Services Funding Act from the proposed budget without need for reference to other documents or explanations.

**LD 1129 An Act To Permit Efficient School Districts To Opt Out of Consolidation**

**ONTP**

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

This bill authorizes a school administrative unit to submit an alternative plan when the school unit spends less on kindergarten to grade 12 education than its total operating allocation under the Essential Programs and Services Funding Act for fiscal year 2008-09. This bill also eliminates penalties that would otherwise apply to such school

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

administrative units.

**LD 1140      Resolve, Directing the Department of Education and the Department of Agriculture, Food and Rural Resources To Convene a Work Group To Strengthen Farm-to-school Efforts in the State**

**RESOLVE 106  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE RAYE	OTP-AM   MAJ ONTP    MIN	H-461

This resolve requires the Department of Education and the Department of Agriculture, Food and Rural Resources to convene a work group consisting of agencies, groups and organizations involved in supporting Maine agriculture, public health, the environment and the Maine economy to study farm-to-school initiatives and programs in the State and develop recommendations for strengthening farm-to-school efforts in the State.

**Committee Amendment "A" (H-461)**

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It directs the Department of Health and Human Services along with the Department of Education and the Department of Agriculture, Food, and Rural Resources to convene a work group. It removes the Department of Health and Human Services from the list of participants as the department will be in a leadership role with the other 2 departments. It also modifies the list of those invited to participate.

**Enacted Law Summary**

Resolve 2009, chapter 106 requires the Department of Education, the Department of Health and Human Services, and the Department of Agriculture, Food and Rural Resources to convene a work group consisting of agencies, groups and organizations involved in supporting Maine agriculture, public health, the environment and the Maine economy to study farm-to-school initiatives and programs in the State and develop recommendations for strengthening farm-to-school efforts in the State. The departments are to report to the Joint Standing Committee on Education and Cultural Affairs, the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Health and Human Services by February 1, 2010 with recommendations for strengthening farm-to-school initiatives and programs.

Resolve 2009, chapter 106 was finally passed as an emergency measure effective June 9, 2009.

**LD 1141      An Act To Add a Member from Castine to the Board of Trustees of the Maine Maritime Academy**

**ONTP**

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

This bill increases the number of trustees on the Board of Trustees of the Maine Maritime Academy from 16 to 17 and the number of trustees who must be Maine residents from 11 to 12. It also requires that the Governor choose one trustee of the 17 from a list of 3 candidates recommended by the Town of Castine Board of Selectmen.