

# 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 1160     An Act To Prohibit a Person from Being Hired in a School Administrative Unit in a Position for Which a Relative Serves in a Supervisory Capacity** **ONTP**

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

This bill prohibits a person from being hired as an employee of a school administrative unit for a position for which that person's spouse, child, parent or sibling or the spouse of the person's child or sibling serves in a supervisory capacity with respect to the person.

**LD 1161     An Act To Require That Universities within the University of Maine System Accept Credits Earned at Other Universities within the System** **ONTP**

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

This bill amends the charter of the University of Maine System to require that a campus of the University of Maine System accept credits earned at another campus of the University of Maine System.

**LD 1162     An Act To Amend the Laws Governing Teacher Certification Interns** **ONTP**

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

This bill prohibits a school administrative unit from accepting placement of a teaching intern who is, at the time of the internship, enrolled in more than one course in an academic teaching program.

**LD 1163     Resolve, To Reduce Childhood Obesity in Schools by Adding to the Physical Education Curriculum** **ACCEPTED ONTP REPORT**

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

This resolve directs the Commissioner of Education to incorporate the principles of the "5-2-1-0 Goes to School" program into a statewide program in the public schools physical education curriculum. The "5-2-1-0 Goes to School" program, the school component of a community-based initiative to promote healthy lifestyle choices, began

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

as a pilot project launched by the Barbara Bush Children's Hospital at Maine Medical Center in 9 schools in York County. It now includes 12 communities and is aimed at promoting healthy eating and physical activity in the school environment. The program emphasizes better nutritional choices and more activity.

**LD 1178      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 117  
EMERGENCY**

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

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.

### **Enacted Law Summary**

Resolve 2009, chapter 117 provides that final adoption of portions of Chapter 131: The Maine Federal, State, and Local Accountability Standards, a major substantive rule of the Department of Education, is authorized.

Resolve 2009, chapter 117 was finally passed as an emergency measure effective June 9, 2009.

**LD 1191      An Act To Improve Teacher Confidentiality Laws**

**PUBLIC 331**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM	S-267

This bill permits access to confidential information on denials, revocations and suspensions of teacher certification to the extent that the information is needed by a national association of state directors of teacher education and certification, in aid of an investigation by other jurisdictions investigating qualifications for certification or considering reciprocal disciplinary action or by law enforcement agencies in aid of an investigation. The bill also authorizes the Department of Education to disseminate as public information statistical summaries of complaints and dispositions as long as the dissemination does not jeopardize the confidentiality of individually identifiable information.

### **Committee Amendment "A" (S-267)**

This amendment provides that the confidentiality provisions of the bill apply to applicants for certification, authorization or approval under the Maine Revised Statutes, Title 20-A, chapters 501 and 502.

### **Enacted Law Summary**

Public Law 2009, chapter 331 permits access to confidential information on denials, revocations and suspensions of teacher certification to the extent that the information is needed by a national association of state directors of teacher education and certification, in aid of an investigation by other jurisdictions investigating qualifications for certification or considering reciprocal disciplinary action or by law enforcement agencies in aid of an investigation. The law also authorizes the Department of Education to disseminate as public information statistical summaries of complaints and dispositions as long as the dissemination does not jeopardize the confidentiality of individually