

MAINE STATE LEGISLATURE

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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

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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.

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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

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identifiable information. The access to confidentiality information permitted by this law applies to applicants for certification, authorization or approval under the Maine Revised Statutes, Title 20-A, chapters 501 and 502.

LD 1203 An Act To Allow Certain School Units To Reorganize without Meeting Minimum Student Population Requirements without Being Penalized ONTP

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

This bill authorizes school administrative units to submit alternative plans in situations when they have been unsuccessful in reorganizing into a regional school unit that meets minimum student population requirements. This bill also eliminates penalties that would otherwise apply to such school administrative units.

LD 1221 An Act To Remove the Local Requirement for Education Funding ONTP

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

This bill provides that if a school administrative unit adopts a credible budget that is below the maximum state and local spending target under the Essential Programs and Services Funding Act the school administrative unit's required contribution must be reduced by the amount of the savings.

LD 1225 Resolve, To Review the Adjustments in the School Funding Formula Related to School Administrative Units That Are Eligible for the Minimum State Share of Their Total Allocation RESOLVE 95

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON	OTP-AM	H-404

This bill provides that a school administrative unit that is eligible for the minimum state share of its total allocation under the Essential Programs and Services Funding Act may also be eligible for an additional adjustment when the school administrative unit meets certain eligibility criteria for an economically disadvantaged school administrative unit:

1. The local median household income of each municipality in the school administrative unit is less than the statewide median household income; and
2. At least 30% of the students in the school administrative unit are economically disadvantaged students as calculated pursuant to the Maine Revised Statutes, Title 20-A, section 15675, subsection 2.

A school administrative unit that meets these eligibility criteria must receive an additional adjustment to the state share of its total allocation.