

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.

Joint Standing Committee on Education and Cultural Affairs

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.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (H-404)

This amendment replaces the emergency bill with a nonemergency resolve that directs the Education Research Institute to include a targeted research project in the fiscal year 2009-10 work plan. The amendment provides that the project agreement with the Education Research Institute must include a project to address the impact of the adjustments in the school funding formula related to school administrative units that are eligible for the minimum state share of their total allocation. Following receipt of the report from the Maine Education Policy Research Institute, the Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 95 directs the Education Research Institute to include a targeted research project in the fiscal year 2009-10 work plan. The resolve provides that the project agreement with the Education Research Institute must include a project to address the impact of the adjustments in the school funding formula related to school administrative units that are eligible for the minimum state share of their total allocation. The resolve also provides that, following receipt of the report from the Maine Education Policy Research Institute, the Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 124th Legislature.

LD 1226 An Act To Eliminate the Opt-out Penalty for Consolidation of Schools if a School Administrative Unit Forms an Alternative Organizational Structure **ACCEPTED ONTP REPORT**

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

This bill authorizes school administrative units to submit alternative plans if they have formed alternative organizational structures but have not approved a school reorganization plan. This bill also eliminates penalties that would otherwise apply to such school administrative units.

LD 1227 An Act To Equalize the Regional Salary Cost Index under the School Funding Formula **ONTTP**

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

This bill requires that, beginning in fiscal year 2010-11, 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.