

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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STATE OF MAINE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Education and Cultural Affairs

LD 12 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 6 EMERGENCY

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

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. The standards are commonly referred to as Common Core State Standards. Specifically, the focus of the standards are in English Language Arts and Mathematics from kindergarten through grade 12.

Enacted Law Summary

Resolve 2011, chapter 6 authorizes the final adoption of portions of Chapter 131: The Maine Federal, State and Local Accountability Standards, a major substantive rule of the Department of Education. The standards are commonly referred to as the Common Core State Standards. The focus of the standards are in English Language Arts and Mathematics from kindergarten through grade 12.

Resolve 2011, chapter 6 was finally passed as an emergency measure effective March 25, 2011.

LD 18 An Act To Extend the School Year MINORITY (ONTP) REPORT

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

This bill extends the school year from 180 days to 185 days a year.

LD 19 An Act To Change the Annual Meeting Date and Fiscal Year of Mount Desert Island Regional School District P & S 1 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLEMINGS LANGLEY	OTP	

This bill changes the annual school budget meeting date for Mount Desert Island Regional School District from the second Wednesday in February to the first Wednesday in April and conforms the district's fiscal year to requirements of the Maine Revised Statutes.

Enacted Law Summary

Joint Standing Committee on Education and Cultural Affairs

Private & Special Law 2011, chapter 1 changes the annual school budget meeting date for Mount Desert Island Regional School District from the second Wednesday in February to the first Wednesday in April and conforms the district's fiscal year to requirements of the Maine Revised Statutes.

Private & Special Law 2011, chapter 1 was enacted as an emergency measure effective February 4, 2011.

LD 45 An Act To Allow Marriage and Family Therapists To Provide Related Services in Public Schools PUBLIC 19

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES ALFOND	OTP-AM	H-19

This bill requires the Commissioner of Education to adopt rules providing that a licensed marriage and family therapist is qualified for the position of school counselor, school social worker or other mental health professional in a school setting.

Committee Amendment "A" (H-19)

This amendment changes the title and replaces the bill to provide that school administrative units may employ or contract with qualified licensed individuals to provide related services required to assist children with disabilities to benefit from their special education programs. The amendment also directs the Commissioner of Education to amend the Department of Education rules in Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty to clarify that a person licensed as a marriage and family therapist is qualified to serve as a qualified evaluator and a qualified licensed contractor.

Enacted Law Summary

Public Law 2011, chapter 19 provides that school administrative units may employ or contract with qualified licensed individuals to provide related services required to assist children with disabilities to benefit from their special education programs. The law also directs the Commissioner of Education to amend the Department of Education rules in Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty to clarify that a person licensed as a marriage and family therapist is qualified to serve as a qualified evaluator and a qualified licensed contractor.

LD 66 An Act To Amend the Laws Governing the Capital Reserve Funds of the Maine Educational Loan Authority PUBLIC 401 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER RAYE	OTP-AM	H-149

This bill removes the termination date for the Maine Educational Loan Authority's authority to create or establish capital reserve funds.

Committee Amendment "A" (H-149)

This amendment strikes the bill and replaces it to extend the termination date for the Maine Educational Loan Authority's authority to create or establish capital reserve funds to June 30, 2017. The amendment also decreases the limit on the principal amount for certain types of bonds issued by the Maine Educational Loan Authority to