

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
CAROLYN RUSSO, LEGISLATIVE ANALYST
JILL IPPOLITI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

MEMBERS:

SEN. BRIAN D. LANGLEY, CHAIR
SEN. GARRETT PAUL MASON
SEN. JUSTIN L. ALFOND

REP. DAVID E. RICHARDSON, CHAIR
REP. PETER E. EDGECOMB
REP. HOWARD E. MCFADDEN
REP. PETER B. JOHNSON
REP. JOYCE A. MAKER
REP. MICHAEL D. MCCLELLAN
REP. RICHARD V. WAGNER
REP. MARY PENNELL NELSON
REP. STEPHEN LOVEJOY
REP. HELEN RANKIN
REP. MADONNA M. SOCTOMAH

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



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

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

Joint Standing Committee on Education and Cultural Affairs

\$225,000,000.

Enacted Law Summary

Public Law 2011, chapter 401 extends the termination date for the Maine Educational Loan Authority's authority to create or establish capital reserve funds to June 30, 2017. The law also decreases the limit on the principal amount for certain types of bonds issued by the Maine Educational Loan Authority to \$225,000,000.

Public Law 2011, chapter 401 was enacted as an emergency measure effective June 22, 2011.

LD 77 Resolve, Directing the Department of Education To Create a Resource Guide to Maine History Developed in Cooperation with Franco-American Specialists RESOLVE 17

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BOLDUC | OTP-AM | H-23 |

This bill amends the law governing instruction in American history in schools to require the inclusion of Franco-American history and the study of the influence of French intellectual thought on American history.

Committee Amendment "A" (H-23)

This amendment replaces the bill with a resolve that directs the Department of Education to create a resource guide to Maine history in cooperation with Franco-American specialists. The department shall periodically update the Joint Standing Committee on Education and Cultural Affairs of the 125th Legislature on the number of hours dedicated by the department to the creation of the resource guide and supply the committee with a copy of the final resource guide.

Enacted Law Summary

Resolve 2011, chapter 17 directs the Department of Education to create a resource guide to Maine history in cooperation with Franco-American specialists. The department shall periodically update the Joint Standing Committee on Education and Cultural Affairs of the 125th Legislature on the number of hours dedicated by the department to the creation of the resource guide and supply the committee with a copy of the final resource guide.

LD 93 An Act To Improve Essential Programs and Services Funding for Education ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JOHNSON P | ONTP | |

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the essential programs and services funding and distribution formula and process to improve the equity and adequacy of general purpose aid to education.