

# 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**  
125<sup>TH</sup> 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  
125<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 LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<sup>th</sup> 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 125<sup>th</sup> 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 98**

**Resolve, Directing the Commissioner of Education To Adopt a Policy Regarding Management of Head Injuries in Youth Sports**

**Carried Over**

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

This resolve directs the Commissioner of Education to adopt a policy for schools in Maine on the management of head injuries in school athletic activities. The policy must include information, protocols and forms and requirements for removing from an athletic practice, game or activity a student suspected of having sustained a head injury and for banning that student from participation for that day and until the school has received written clearance for the student to resume participation. The resolve requires schools to adopt a policy on management of head injuries and to implement the policy beginning January 1, 2012. The resolve allows the sharing of policies, information, training, protocols and forms with statewide and local organizations that sponsor sports and athletics.

LD 98 was removed from the Special Appropriations Table and recommitted to the Committee on Education and Cultural Affairs.

**Committee Amendment "A" (H-519)**

This amendment directs the Commissioner of Education to propose a model policy for schools in Maine on the management of head injuries in school athletic activities. It directs the commissioner to reconvene the working group established pursuant to Resolve 2009, chapter 79 to advise the commissioner on the prevention, diagnosis and treatment of concussive and other head injuries in student athletes. The amendment provides that a model policy may include requirements and procedural steps for schools to follow in determining when a student suspected of having sustained a head injury is able to resume participation in the academic program. The bill establishes a date regarding when schools are required to adopt a policy on management of head injuries and to implement the policy of January 1, 2012. The amendment changes the date to July 1, 2012.

**Senate Amendment "A" To Committee Amendment "A" (S-340)**

This amendment adds a mandate preamble.

This resolve was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 106**

**Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education**

**RESOLVE 39  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-148

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-148)**