

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

<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: RESOLVE 39
Maine Unified Special Education Regulation Birth to Age Twenty, a EMERGENCY
Major Substantive Rule of the Department of Education

<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)

Joint Standing Committee on Education and Cultural Affairs

This amendment provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

Enacted Law Summary

Resolve 2011, chapter 39 provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

Resolve 2011, chapter 39 was finally passed as an emergency measure effective May 19, 2011.

LD 114 An Act To Allow Vietnam War Era Veterans To Receive High School Diplomas PUBLIC 25

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COTTA COURTNEY	OTP-AM	H-24

This bill allows those veterans who left secondary school to serve in the Vietnam War to receive a high school diploma. This diploma may be awarded posthumously.

Committee Amendment "A" (H-24)

This amendment changes the title of the bill and specifies the time frame in which veterans who left secondary school to join the Armed Forces may be considered to have served during the Vietnam War and may be awarded a high school diploma.

Enacted Law Summary

Public Law 2011, chapter 25 allows those veterans who left secondary school to serve in the Armed Forces during the Vietnam War era to receive a high school diploma. This diploma may be awarded posthumously.

LD 130 Resolve, Directing the Department of Education To Explore Options To Increase Participation in the University of Southern Maine's Extended Teacher Education Program ONTP

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

This resolve directs the certification office within the Department of Education to evaluate the Extended Teacher Education Program at the University of Southern Maine and recommend options for increasing participation in the program.