

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

LD 395 **An Act To Mandate That the School Year Not Begin before September 1st**

**MAJORITY
(ONTP) REPORT**

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

The bill provides that beginning with school year 2012-2013, the academic year for elementary schools, secondary schools, the University of Maine System and the Maine Community College System may not begin before September 1st, except that elementary and secondary schools are exempt for school days in which students are not required to attend or participate, and school administrative units that receive an exemption from the Commissioner of Education because students of the school administrative unit are involved in an agricultural harvest are also exempt.

LD 397 **An Act To Amend the Laws Governing Competitive Bidding for School Construction and Repair**

PUBLIC 352

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP-AM	S-187

This bill changes the minimum amount of the cost of school construction, major alteration or repair requiring a competitive bid from over \$100,000 to over \$250,000.

Committee Amendment "A" (S-187)

This amendment clarifies that contracts for energy conservation services in compliance with the Maine Revised Statutes, Title 20-A, section 15915 are exempt from competitive bid requirements. It specifies costs to be included when calculating the total cost of the project to determine if competitive bidding is required.

Enacted Law Summary

Public Law 2011, chapter 352 changes the minimum amount of the cost of school construction, major alteration or repair requiring a competitive bid from over \$100,000 to over \$250,000. It requires that when a contract includes ongoing service and maintenance by the person responsible for construction, major alteration or repair of the school buildings, the cost of service and repair must be included when calculating the total cost of the project to determine if competitive bidding is required. It also requires a school administrative unit to use a competitive bid process if two or more contracts totaling more than \$250,000 are to be entered into within a six-month period.