

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

associate's degree programs in two, three or four years and for students who complete four-year or bachelor's degree programs in four, five or six years. This bill requires the Department of Education to report this information annually to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and publish the report on the department's publicly accessible website.

Committee Amendment "A" (S-74)

This amendment replaces the bill to clarify the requirements that all postsecondary educational institutions in the State provide institution-wide retention rates and graduation rates. The amendment also provides that the annual Department of Education report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs must include national comparisons of retention rates and graduation rates for peer institutions.

Senate Amendment "A" To Committee Amendment "A" (S-144)

This amendment clarifies that the information regarding retention and graduation rates must be compiled by the department using information that is already provided by postsecondary institutions.

Enacted Law Summary

Public Law 2011, chapter 232 requires the Department of Education to compile information provided by all postsecondary educational institutions in the State related to institution-wide retention rates and graduation rates. The law provides that the Department of Education provide an annual report, including national comparisons of retention rates and graduation rates for peer institutions, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The law also provides that the department publish the report on the department's publicly accessible website.

LD 566 An Act To Encourage Transparency in the Department of Education

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-300 S-315 ALFOND

This bill requires the Department of Education to fully disclose its full budget and the true cost of all its programs and services.

Committee Amendment "A" (S-300)

This amendment proposes to clarify the reporting and public disclosure requirements of the bill pertaining to the disclosure by the Department of Education of its full budget and the true cost of all its programs and services. The amendment directs the Department of Education to review the November 3, 2010 Report to the Legislative Council on Maine Department of Education Program Funding, including the recommendation that the Legislature should consider requiring the department to provide performance-related data as part of the agency's biennial or supplemental budget request for General Fund appropriations. The amendment also directs the department to submit a report, including findings and recommendations on the costs and benefits of providing performance-related data to the Legislature as part of the department's budget request, no later than January 13, 2012 to the Joint Standing Committee on Education and Cultural Affairs. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-315)

This amendment specifies that, in carrying out the reporting requirement required by this legislation, the Department of Education is to use data that are readily available to, and compiled by, the department. The amendment specifies

Joint Standing Committee on Education and Cultural Affairs

that the department is not required to report on data at a level of detail that does not exist on the effective date of this legislation, and directs the department to provide the reports within its existing resources.

LD 568 Resolve, To Establish an Early Childhood Stakeholder Group

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-259

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to create a unified early childhood education system that will result in more effective use of limited resources and produce improved outcomes.

Committee Amendment "A" (S-259)

This amendment replaces the bill with a resolve requiring the Maine Children's Growth Council to establish and convene a stakeholder group to identify options and alternatives to improve the efficacy and efficiency of Maine's early childhood system. The Department of Education and the Department of Health and Human Services are required to provide technical assistance to the stakeholder group. The stakeholder group is required to submit a report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services that includes the findings of the stakeholder group, including options and alternatives developed by the stakeholder group and any analysis by the departments of those options and alternatives. The report may include suggested legislation.

LD 569 An Act To Support and Encourage the Use of Online Textbooks

PUBLIC 354

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-186

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to enact measures designed to support and encourage the use of online textbooks.

Committee Amendment "A" (S-186)

This amendment replaces the concept draft with a bill to direct the Commissioner of Education to develop a program of technical assistance, including professional development and training for instruction in digital literacy and the establishment of a clearinghouse for information on the use of online learning resources that may be made available to all schools, including those schools that participate in the learning through technology program that provides one-to-one wireless computers for seventh grade, eighth grade and high school students and educators. The amendment establishes the Digital Literacy Fund, to be administered by the Department of Education. Any private or public funds appropriated, allocated or dedicated to the fund may be used to pay for the development of a program of technical assistance. The amendment also authorizes the Commissioner of Education to expend funds allocated to the learning through technology program for the costs of providing the program of technical assistance. The amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2011, chapter 354 directs the Commissioner of Education to develop a program of technical assistance,