

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION AND  
CULTURAL AFFAIRS**

June 2012

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# STATE OF MAINE

125<sup>TH</sup> LEGISLATURE  
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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 Second 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.

<i>CARRIED OVER</i> .....	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i> .....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i> .....	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i> .....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i> .....	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i> .....	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; special law</i>
<i>PUBLIC XXX</i> .....	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i> .....	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125<sup>th</sup> Legislature is Thursday, August 30, 2012. 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**      **ONTP**

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

This resolve was carried over from the First Regular Session of the 125th Legislature. The 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.

While this resolve was not enacted, the Joint Standing Committee on Education and Cultural Affairs reported out LD 1873, which was enacted as Public Law 2011, chapter 688 and contained similar provisions to address the management of head injuries in school activities and athletics.

**LD 627**      **An Act To Expand the Capacity of York County Community College**      **PUBLIC 667**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELIVEAU LANGLEY	OTP-AM	H-699 S-594 ROSEN R

This bill was carried over from the First Regular Session of the 125th Legislature. The bill, which is a concept draft pursuant to Joint Rule 208, proposes to amend the current law to expand the capacity of York County Community College due to its doubled student enrollment in the past five years.

**Committee Amendment "A" (H-699)**

This amendment strikes and replaces the bill to establish the Integrated Manufacturing Program Fund within the Maine Community College System to support the education and training of the manufacturing workforce in the State. The amendment provides one-time funding and ongoing funding from the General Fund and requires the Maine Community College System to seek funds from the public and private sectors for deposit into the fund. The amendment also provides that the disbursement of funds in fiscal years 2012-13 to 2016-17 must be provided to expand the capacity of the integrated manufacturing program at York County Community College.

The amendment further provides that the Legislature may not reduce General Fund appropriations to the Department of Education, the University of Maine System, the Maine Community College System or the Maine Maritime Academy in fiscal year 2012-13 to fund the Integrated Manufacturing Program Fund. The amendment also adds an appropriations and allocations section.

**Senate Amendment "A" To Committee Amendment "A" (S-594)**

**Joint Standing Committee on Education and Cultural Affairs**

This amendment strikes the provisions of Committee Amendment "A" that establish the Integrated Manufacturing Program Fund and eliminates the provision of \$820,000 in one-time funds to the Maine Community College System in fiscal year 2012-13. As amended, the bill still includes ongoing General Fund appropriations of \$257,000 per year beginning in fiscal year 2012-13 for York County Community College to respond to the demand for skilled workers in the precision machining industry.

**Enacted Law Summary**

Public Law 2011, chapter 667 provides ongoing General Fund appropriations of \$257,000 per year beginning in fiscal year 2012-13 for York County Community College to respond to the demand for skilled workers in the precision machining industry.

**LD 675      Resolve, To Create a Working Group To Study Multidistrict Online Learning Options in Maine      RESOLVE 116**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-375

This bill was carried over from the First Regular Session of the 125th Legislature. The bill allows nonresident students to enroll in a school administrative unit's online learning program, with the school administrative unit of residence for that student to pay the enrolling school administrative unit the student's tuition for the program. The bill also directs the Department of Education to create a stakeholder group to study the opportunities in and challenges of creating one online learning program for the State and to report to the Joint Standing Committee on Education and Cultural Affairs by January 4, 2012.

**Committee Amendment "B" (S-375)**

This amendment strikes and replaces the bill to create a resolve that directs the Department of Education to create a working group to study the opportunities in and challenges of establishing multidistrict online learning options for students in the State and to report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 4, 2013. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs is authorized to submit a bill to the 126th Legislature.

**Enacted Law Summary**

Resolve 2011, chapter 116 directs the Department of Education to create a working group to study the opportunities in and challenges of establishing multidistrict online learning options for students in the State and to report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 4, 2013. The joint standing committee is authorized to submit a bill to the 126th Legislature.

**LD 958      Resolve, To Authorize the Legislature To Contract for an Independent Review To Evaluate the Essential Programs and Services Funding Act      RESOLVE 166 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON P THOMAS	OTP-AM	H-920

This bill was carried over from the First Regular Session of the 125th Legislature. The resolve directs the Department of Education to have an independent agency not previously involved with the essential programs and