

# 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 627      An Act To Expand the Capacity of York County Community College      Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELIVEAU LANGLEY		

This bill is a concept draft pursuant to Joint Rule 208. The bill 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.

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

**LD 635      An Act To Provide for the Equitable Reimbursement of Schools Operated by the State in the Unorganized Territory      ONTP**

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

This bill provides that the tuition rate that is charged by the Commissioner of Education to a school administrative unit that sends a student to a school maintained by the State in the unorganized territory must be an amount equal to the state average expenditure per elementary pupil as determined by the commissioner pursuant to the Maine Revised Statutes, Title 20-A, section 5804 or the actual expenditure per elementary pupil calculated by the commissioner for the receiving school administrative unit in the unorganized territory, whichever is greater.

**LD 656      Resolve, To Establish a Task Force on Franco-Americans      RESOLVE 102  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM	H-88 S-337 COURTNEY

This resolve establishes a task force to study Franco-Americans in the State. The task force is directed to determine a definition of who is a Franco-American and gather basic data about Franco-Americans, including how many reside in the State, the percentage of the State's population that is Franco-American, if they speak French, their educational achievement, their annual income and where they live. It directs the task force to report its findings and suggested legislation to the Joint Standing Committee on Education and Cultural Affairs, which is authorized to report out a bill.

**Committee Amendment "A" (H-88)**

This amendment reduces the membership of the task force in the resolve from 15 members to 13 members; requires that the task force work with the Franco-American Center at the University of Maine, while allowing the task force to work with individuals or nonprofit or charitable organizations; changes the reporting requirements to include a

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

preliminary report date of December 7, 2011 and a final report date of November 7, 2012; and authorizes the Legislative Council to oversee contributions from private sources on behalf of the task force.

**Senate Amendment "A" To Committee Amendment "A" (S-337)**

The amendment explicitly exempts this study from the requirements of Joint Rule 353.

**Enacted Law Summary**

Resolve 2011, chapter 102 establishes a 13 member task force to study Franco-Americans in the State. The task force, working with the Franco-American Center at the University of Maine, is directed to determine a definition of who is a Franco-American and gather basic data about Franco-Americans, including how many reside in the State, the percentage of the State's population that is Franco-American, if they speak French, their educational achievement, their annual income and where they live. It directs the task force to report its preliminary findings on December 7, 2011 and a final report and findings on November 7, 2012 to the Joint Standing Committee on Education and Cultural Affairs, which is authorized to report out a bill.

Resolve 2011, chapter 102 was finally passed as an emergency measure effective July 6, 2011.

**LD 662      Resolve, Directing the Department of Education To Amend Its Rules      MAJORITY**  
**Pertaining to the Statute of Limitations for Filing a Due Process      (ONTP) REPORT**  
**Hearing Request Regarding Special Education**

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

This resolve restores to six years the statute of limitations for filing a due process hearing request in special education matters.

**LD 675      An Act To Establish Multidistrict Online Classes in Maine      Carried Over**

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

This 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.

LD 675 was removed from the Special Appropriations Table and recommitted to the Committee on Education and Cultural Affairs.

**Committee Amendment "A" (S-304)**

This amendment strikes and replaces the bill to provide several provisions that allow nonresident students to enroll