

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 860

An Act To Reduce Student Hunger

PUBLIC 379

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM MAJ ONTP MIN	S-170 S-206 MASON

This bill requires a public school in which at least 40% of the students qualify for a free or reduced-price lunch to implement a federally subsidized summer food service program to provide meals to children during the summer months. The bill requires the Commissioner of Education to adopt rules to implement the program. The bill also requires each public school to develop a written plan to enroll students who are eligible in the summer food service program.

Committee Amendment "A" (S-170)

The amendment, which is the majority report of the committee, eliminates the requirement in the bill that a public school in which 40% of the students qualify for a free or reduced-price lunch under federal law participate in the federal summer food service program and instead does the following.

1. It provides that, beginning with the 2011-2012 school year, a school administrative unit with at least one public school in which the percentage of students who qualify for a free or reduced-price lunch is determined to be equal to or greater than the minimum percentage established for eligibility under the National School Lunch Program shall participate in the federal summer food service program.

2. It phases in the requirement that school administrative units participate in the federal summer food service program. For the summer following the 2011-2012 school year, a school administrative unit is required to participate if at least one of the schools within the school administrative unit has a student body at least 75% of which qualifies for a free or reduced-price lunch. For the summer following the 2012-2013 school year, the percentage is 65%. For the summer following the 2013-2014 school year and subsequent school years, the percentage is 50%.

3. It provides the Commissioner of Education with the authority to provide an exemption for a school administrative unit and directs the commissioner or the commissioner's designee to work with each eligible school administrative unit to determine if any of the following criteria apply to exempt the school administrative unit from offering the federal summer food service program:

A. Already participating with a municipality, county or nonprofit organization in the federal summer food service program;

B. Unable to administer the federal summer food service program within existing budgeted resources or in a manner that is cost-neutral; or

C. Unable to participate in the federal summer food service program due to an insufficient number of students who are eligible to enroll or participate in the program.

4. It also adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-206)

This amendment clarifies that school administrative units do not have to participate in the federal summer food

Joint Standing Committee on Education and Cultural Affairs

service program for children but may participate and receive support services from the Department of Education.

Enacted Law Summary

Public Law 2011, chapter 379 provides that, beginning with the 2011-2012 school year, a school administrative unit with at least one public school in which the percentage of students who qualify for a free or reduced-price lunch is determined to be equal to or greater than the minimum percentage established for eligibility under the National School Lunch Program may participate in the federal summer food service program and shall receive support services from the Department of Education in developing a plan to participate in the program.

The law establishes a phase-in schedule for the participation of school administrative units in the federal summer food service program as follows. For the summer following the 2011-2012 school year, a school administrative unit may participate if at least one of the schools within the school administrative unit has a student body at least 75% of which qualifies for a free or reduced-price lunch. For the summer following the 2012-2013 school year, the percentage is 65%. For the summer following the 2013-2014 school year and subsequent school years, the percentage is 50%.

LD 871 An Act To Allow a 4-day School Week ONTP

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

This bill authorizes a school administrative unit to use an alternative school calendar of four days of student instruction per week if that calendar provides for an amount of student instruction equivalent to that provided by a traditional school calendar.

LD 886 An Act To Remove All Federal Funding from Inclusion in the Essential Programs and Services Funding Formula ONTP

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

This bill removes all references pertaining to the allocation of federal resources from the statutory provisions of the Essential Programs and Services Funding Act.

LD 903 An Act To Allow a Student Attending Private School Access to Public School Cocurricular, Interscholastic and Extracurricular Activities PUBLIC 456

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICCHIOTTI MASON	OTP-AM MAJ ONTP MIN	S-331

This bill provides that a student enrolled in an equivalent instruction program in a private school that enrolls fewer than 30 students is eligible to participate in public school cocurricular, extracurricular and interscholastic activities.