

# 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***

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.

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

**Committee Amendment "A" (H-490)**

This amendment, which is the majority report of the committee, 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 when the private school is not a member of the Interscholastic Division of the Maine Principals' Association, a statewide association that promotes, organizes and regulates statewide interscholastic activities in both public and private schools.

This amendment is a Committee of Conference report and incorporates the substance of Committee Amendment "A," Senate Amendment "A" and Senate Amendment "B." The amendment provides that a student enrolled in an equivalent instruction program in a private school is eligible to participate in public school cocurricular, extracurricular and interscholastic activities when the private school is not a member of the Interscholastic Division of the Maine Principals' Association, a statewide association that promotes, organizes and regulates statewide interscholastic activities in both public and private schools.

This amendment also allows the principal of a school to withhold approval of participation of a student in cocurricular, extracurricular or interscholastic activities.

This amendment also strikes the restriction that allows only students of private schools that enroll fewer than 30 students to be eligible to participate in public school cocurricular, extracurricular and interscholastic activities.

**Enacted Law Summary**

Public Law 2011, chapter 456 provides that a student enrolled in an equivalent instruction program in a private school is eligible to participate in public school cocurricular, extracurricular and interscholastic activities when the private school is not a member of the Interscholastic Division of the Maine Principals' Association, a statewide association that promotes, organizes and regulates statewide interscholastic activities in both public and private schools. The law also allows the principal of a school to withhold approval of participation of a student in cocurricular, extracurricular or interscholastic activities.

**LD 911      Resolve, Directing the Maine Community College System To Establish the Great Works School Campus**

**MAJORITY  
(ONTP) REPORT**

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

This resolve directs the Maine Community College System to establish the Great Works School in Sanford as a campus of the Maine Community College System.

**LD 929      Resolve, To Establish a Study Group To Review the Teacher Certification Process**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN ALFOND	ONTP	