

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

valued at \$100 or more. It authorizes a museum to apply conservation measures or to dispose of property without the owner's permission if certain conditions are met.

LD 1045 An Act To Encourage Better Grades for High School Students by Linking Grades with the Granting of a Driver's License ONTP

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

This bill provides that the Secretary of State may not accept an application for a driver's license of a minor who is enrolled in a secondary school unless the application is accompanied by a letter from the superintendent or principal or an agent of the superintendent or principal or, in the case of a minor who is home-schooled, the person who is in charge of the instruction of that minor, attesting to the fact that the minor is not failing more than one class the successful completion of which is a requirement for graduation.

LD 1049 An Act To Allow a Municipality To Withdraw from a Regional School Unit ONTP

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

This bill exempts a municipality that withdraws from a regional school unit from school reorganization and associated penalties if the reason for withdrawal is that the municipality's educational goals and financial capabilities are not compatible with those of the regional school unit.

LD 1051 An Act To Calculate Essential Programs and Services Funding on an Equal Labor Market ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H JACKSON	ONTP	

This bill amends the essential programs and services laws so that salary and benefit costs for school level teaching and nonteaching staff are treated equally throughout the State.

LD 1060 Resolve, To Require Regional School Unit No. 20 To Transfer Certain Property to the Town of Searsport ONTP

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

Joint Standing Committee on Education and Cultural Affairs

This resolve authorizes the transfer of ownership of the former School Administrative District No. 56 superintendent's building to the Town of Searsport.

LD 1083 An Act To Allow the Town of Arundel To Withdraw from Its Regional School Unit without Penalty ONTP

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

This bill exempts the Town of Arundel from certain requirements contained in the school administrative unit reorganization law. The bill accomplishes the following.

1. It exempts the Town of Arundel from the requirements pertaining to the withdrawal of a single municipality from a regional school unit.
2. It provides that the Town of Arundel may not be subject to the penalties applicable to a nonconforming school administrative unit.
3. It exempts the Town of Arundel from the requirement that it join with another regional school unit or alternative organizational structure.
4. It provides that, upon the submission of a notice of intent to the Commissioner of Education, the commissioner is required to treat the Town of Arundel in a manner similar to the treatment of other school administrative units that were approved as regional school units after receiving exemptions from and accommodations to the Maine Revised Statutes, Title 20-A, chapter 103-A.

LD 1094 An Act To Improve the Delivery of School Psychological Services to Children PUBLIC 386

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-279

This bill changes the term "school psychological service provider" to "school psychologist" in the law pertaining to school psychological services. The bill directs the Commissioner of Education to revise the rules to align the code of ethics and practice standards with those set by the National Association of School Psychologists and the American Psychological Association. It requires a school psychologist in the first year of employment to participate in at least two hours per week of individual or group supervision with a certified school psychologist or licensed psychologist. The bill also authorizes a school to be reimbursed for services provided by a school psychologist to students who are Medicaid recipients.

Committee Amendment "A" (S-279)

This amendment distinguishes between two levels of school psychologists. It replaces the scope of services section in the bill. It revises the supervision requirements for a school psychologist receiving initial certification. It removes the MaineCare reimbursement provision in the bill. It directs the Advisory Committee on School Psychologists to convene a stakeholders group and requires a report to the Joint Standing Committee on Education