

# MAINE STATE LEGISLATURE

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**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

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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 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*

are located by providing that the regional adjustment does not apply to the benefits costs of teachers and other school-level personnel.

3. It adds an adjustment for a school administrative unit that is a minimum subsidy receiver if the percentage of economically disadvantaged students in the school administrative unit is greater than the state average percentage of economically disadvantaged students and the school administrative unit operates a school.

The law also requires the Department of Education to implement the provisions of this legislation within the existing budgeted resources of the general purpose aid for local schools program.

**LD 1280**

**An Act To Establish a Pilot Physical Education Project in Four Maine Schools**

**PUBLIC 108  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROCHELO ALFOND	OTP-AM	H-125

This bill implements the recommendations of the PE4ME planning and oversight team related to improving the health and physical fitness of elementary school children.

**Committee Amendment "A" (H-125)**

This amendment stipulates that the Department of Education and the Department of Health and Human Services are not required to select pilot project sites and implement pilot projects if sufficient funds are not available from the Obesity and Chronic Disease Fund.

**Enacted Law Summary**

Public Law 2011, chapter 108 authorizes the Department of Education and the Department of Health and Human Services to use resources allocated from the Obesity and Chronic Disease Fund to develop improved physical education programs for elementary schools in the State. It directs the Commissioner of Education, the Commissioner of Health and Human Services and the Maine Governor's Council on Physical Activity to reconvene the PE4ME planning and oversight team, established pursuant to Resolve 2007, chapter 102, to further implement plans for improving the health, nutrition and physical fitness of elementary school children in the State. It directs the PE4ME planning and oversight team to design and implement a pilot project to demonstrate the efficacy of progressive practices involving physical education and health education in up to 4 elementary schools in the State. The Department of Education and the Department of Health and Human Services are not required to implement pilot projects if sufficient funds are not available from the Obesity and Chronic Disease Fund. The PE4ME planning and oversight team is required to submit an interim report to the Legislature's Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services by January 31, 2012 and a final report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 31, 2013.

Public Law 2011, chapter 108 was enacted as an emergency measure effective May 19, 2011.