

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
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

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
125TH 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 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 1293 Resolve, To Establish a Study Group To Promote the Use of Locally Grown Food in Schools ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CORNELL DU HOUX	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This resolve proposes to establish a study group whose purpose is to examine the procedures used by school administrative units to obtain and prepare locally grown foods for use in schools. The study group's purpose would be to develop recommendations to promote and use locally grown foods in a cost-effective manner. The study group would be required to report its findings and recommendations, along with implementing legislation, to the Joint Standing Committee on Education and Cultural Affairs, which may submit legislation to the Second Regular Session of the 125th Legislature. See bill summary for LD 1446, Resolve to Develop and Implement a Farm and Fish to School Pilot Project.

LD 1298 An Act To Facilitate the Certification of Teachers ONTP

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

This bill allows an individual who has three months left in a four-year teacher preparation program to be issued a nonrenewable transitional teacher certificate by the State Board of Education. The certificate expires upon the individual's completion of the program and the issuance of a provisional teaching certificate. The bill also provides that semester hours of study that are required for teacher certification may be earned at a two-year accredited college or university.

LD 1307 An Act To Amend and Clarify Certain Education Statutes PUBLIC 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON D LANGLEY	OTP	

This bill, submitted by the Department of Education, amends and clarifies inconsistencies in the following education statutes.

1. It aligns the board of directors' weighted votes representation in Method B in school administrative districts with the percentage in regional school units.
2. It exempts certain reformulated school administrative districts that did not operate a kindergarten to grade 12 program from the requirement to maintain such a program.
3. It corrects certain references to school administrative districts to refer to school administrative units.

Joint Standing Committee on Education and Cultural Affairs

4. It clarifies that the vote regarding the closure of an elementary or secondary school in a regional school unit is required only when the school is closed for lack of need.
5. It provides that, for regional school units with only one member municipality, the Maine Revised Statutes, Title 20-A, section 4102, subsection 4, paragraph B-1 applies as it pertains to the closing of the regional school unit.
6. It repeals the annual audit requirement for the purpose of approving private schools for tuition purposes.
7. It clarifies that elementary school and secondary school closures for regional school units that have more than one secondary school must be in accordance with the procedures in Title 20-A, section 1512.
8. It amends the language on annual student counts for school administrative units and publicly funded students in private schools or programs for reporting dates to the Department of Education according to time schedules that the Commissioner of Education established. It also amends the laws governing student counts to require that student counts are based on the number of students in attendance on October 1st and April 1st.
9. It repeals an obsolete provision in the laws regarding school construction pertaining to an inventory of public school facilities, which was completed as required.

Enacted Law Summary

Public Law 2011, chapter 171 amends and clarifies inconsistencies in the following education statutes.

1. It aligns the board of directors' weighted votes representation in Method B in school administrative districts with the percentage in regional school units.
2. It exempts certain reformulated school administrative districts that did not operate a kindergarten to grade 12 program from the requirement to maintain such a program.
3. It corrects certain references to school administrative districts to refer to school administrative units.
4. It clarifies that the vote regarding the closure of an elementary or secondary school in a regional school unit is required only when the school is closed for lack of need.
5. It provides that, for regional school units with only one member municipality, the Maine Revised Statutes, Title 20-A, section 4102, subsection 4, paragraph B-1 applies as it pertains to the closing of the regional school unit.
6. It repeals the annual audit requirement for the purpose of approving private schools for tuition purposes.
7. It clarifies that elementary school and secondary school closures for regional school units that have more than one secondary school must be in accordance with the procedures in Title 20-A, section 1512.
8. It amends the language on annual student counts for school administrative units and publicly funded students in private schools or programs for reporting dates to the Department of Education according to time schedules that the Commissioner of Education established. It also amends the laws governing student counts to require that student counts are based on the number of students in attendance on October 1st and April 1st.
9. It repeals an obsolete provision in the laws regarding school construction pertaining to an inventory of public school facilities, which was completed as required.