

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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STATE OF MAINE
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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 1316 An Act To Expand Magnet Schools in Maine

Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LOVEJOY | | |

This bill is a concept draft pursuant to Joint Rule 208. It proposes to give school districts across the State authority to create magnet schools, either within their communities or in partnerships with other districts. Magnet schools that are created under this bill will be eligible for state funds under the essential programs and services funding formula.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 1322 An Act To Extend the Probationary Period for Teachers

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| NELSON ALFOND | ONTP | |

This bill requires school superintendents to implement programs to evaluate and support probationary teachers and extends the probationary period for teachers from two years presently to three years for teachers hired in 2012 and four years for teachers hired in 2013 or subsequent years.

While this bill was not enacted Public Law 2011, chapter 172 (LD 976) includes the initiative proposed in the bill.

LD 1345 An Act To Align Maine Special Education Statutes with Federal Requirements

PUBLIC 348

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| JOHNSON P DIAMOND | OTP-AM | H-536 |

This bill repeals provisions providing for planning the transition of students with disabilities to adult services and for transitional services coordination projects for students with disabilities by the Interdepartmental Committee on Transition in order to make state requirements regarding these students not exceed federal requirements. The bill eliminates the Interdepartmental Committee on Transition. It also repeals provisions for transitional pilot projects for which funding is no longer provided. This bill enacts language regarding the duties of school administrative units and the Commissioner of Education with regard to services for students with disabilities who are in transition from school to the community in accordance with the provisions of rules adopted by the Department of Education. This bill provides for the coordination of the Department of Health and Human Services and the Department of Education in the submission of the annual report on efforts to plan for and develop social and habilitative services for persons who have autism and other pervasive developmental disorders and provides that the report also be submitted to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (H-536)

This amendment clarifies language in the bill that provides for the participation of representatives of the Department of Labor, the Department of Corrections and the Department of Health and Human Services in transition planning for students who are in transition from school to the community. The amendment also requires the Department of Education to form a work group with representation from those departments and other private and public stakeholders to determine appropriate statutory language pertaining to transition to adult services and the allocation of those statutory provisions in the Maine Revised Statutes to reflect the responsibilities of the various state agencies.

Enacted Law Summary

Public Law 2011, chapter 348 repeals provisions that provide for planning the transition of students with disabilities to adult services and for transitional services coordination projects for students with disabilities by the Interdepartmental Committee on Transition in order to make state requirements regarding these students not exceed federal requirements. The law accomplishes the following.

1. It eliminates the Interdepartmental Committee on Transition.
2. It repeals provisions for transitional pilot projects for which funding is no longer provided.
3. It enacts provisions regarding the duties of school administrative units and the Commissioner of Education with regard to services for students with disabilities who are in transition from school to the community in accordance with the provisions of rules adopted by the Department of Education.
4. It provides for the coordination of the Department of Health and Human Services and the Department of Education in the submission of the annual report on efforts to plan for and develop social and habilitative services for persons who have autism and other pervasive developmental disorders and provides that the report also be submitted to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs.
5. It provides for the participation of representatives of the Department of Labor, the Department of Corrections and the Department of Health and Human Services in transition planning for students who are in transition from school to the community; and further requires the Department of Education to form a work group with representation from those departments and other private and public stakeholders to determine appropriate statutory language pertaining to transition to adult services and the allocation of those statutory provisions in the Maine Revised Statutes to reflect the responsibilities of the various state agencies.

LD 1356 An Act To Amend the Laws Concerning the School Revolving Renovation Fund

PUBLIC 153

Sponsor(s)

LANGLEY

Committee Report

OTP

Amendments Adopted

This bill amends the Maine Municipal Bond Bank Act to allow for funding from the School Revolving Renovation Fund for hazardous material removal in schools and for repairs and improvements related to energy and water conservation. This bill also strikes obsolete language.

Enacted Law Summary

Public Law 2011, chapter 153 amends the Maine Municipal Bond Bank Act to allow for funding from the School Revolving Renovation Fund for hazardous material removal in schools and for repairs and improvements related to