

# 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*

**LD 1425      An Act To Protect the Quality and Integrity of Maine's Educational Materials      ONTP**

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

This bill requires that, beginning with school year 2012-2013, each school board amend its policy adopted for the selection of educational materials and approve only educational materials that are consistent with a course of study aligned with the system of learning results established in the Maine Revised Statutes, Title 20-A, section 6209 and with Department of Education rules pertaining to school approval standards. The bill also requires the Commissioner of Education to annually review school board policies for selecting and purchasing educational materials, to implement the enforcement measures established by rule and to notify the joint standing committee of the Legislature having jurisdiction over education matters of the school administrative units that fail to comply with these requirements.

**LD 1430      Resolve, To Conduct a Review of the Roles and Functions of the Department of Education and of Certain Mandates      ONTP**

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

This resolve establishes a stakeholder group to conduct a review of the roles and functions of the Department of Education and of unfunded and underfunded mandates. The stakeholder group is required to prepare and submit a report to the Joint Standing Committee on Education and Cultural Affairs by December 7, 2011.

**LD 1446      Resolve, To Develop and Implement a Farm and Fish to School Pilot Program      RESOLVE 91**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE LANGLEY	OTP-AM	H-488

This bill establishes the Maine Farm and Fish to School Program to increase the purchasing by schools of food raised, grown or harvested by Maine farmers and fishermen. It establishes a fund to implement the program. It establishes a minimum percentage of school food budgets to be spent on food purchased from Maine producers and increases that percentage in three steps to 30% in the 2025-2026 school year. It revises the Local Produce Fund in the Department of Education to include meat and fish, removes the maximum contribution of the State set in statute and renames it the Local Food Procurement Fund. The bill requires the Commissioner of Agriculture, Food and Rural Resources, the Commissioner of Education and the Commissioner of Health and Human Services to determine actions needed to fully implement the State's food policy and to take steps and request resources to do so.

**Committee Amendment "A" (H-488)**

This amendment replaces the bill and makes it a resolve directing the Department of Agriculture, Food and Rural

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

Resources, the Department of Education and the Department of Marine Resources to support or otherwise assist in the development and implementation of a pilot program to examine the benefits of promoting the purchasing of food grown or raised and fish raised or caught by Maine food producers for use in primary and secondary school meal programs.

**Enacted Law Summary**

Resolve 2011, chapter 91 directs the Department of Agriculture, Food and Rural Resources, the Department of Education and the Department of Marine Resources to, within existing resources, support or otherwise assist one or more cooperating nonprofit organizations in the development and implementation of a pilot program to examine the benefits of promoting the purchasing of food grown or raised and fish raised or caught by Maine food producers for use in primary and secondary school meal programs.

**LD 1471      An Act To Require Voter Validation for a School Administrative Unit      ONTP**  
**To Retain Ownership of a School No Longer Used Primarily for**  
**Classroom Education**

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

This bill requires voter approval for a school administrative unit to retain a school building for a purpose other than the instruction of students.

**LD 1488      An Act To Create Innovative Public School Zones and Innovative Public      PUBLIC 446**  
**School Districts**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP-AM   MAJ ONTP   MIN	S-277

This bill provides for the creation, submission, review and approval of innovation plans to establish innovative public school zones and innovative public school districts. An innovative public school zone and an innovative public school district must demonstrate a system for accountability for student achievement that exceeds, but is not in conflict with, the State's accountability standards and the State's assessment system. The bill allows one or more public schools within a school administrative unit to initiate the creation of an innovation plan for submission to its school board. The bill also permits a school board to initiate and collaborate with one or more of the public schools it operates to create an innovation plan. The bill provides that a school board may obtain waivers of laws, rules and local policy requirements from the Commissioner of Education that are considered necessary for an innovative public school zone or district to implement an innovation plan.

**Committee Amendment "A" (S-277)**

This amendment accomplishes the following.

1. It removes the provisions in the bill that propose to require the consent of a majority of administrators, teachers and school staff and students, their parents and the community prior to the designation of a public school as an innovative school, zone or district under an innovation plan.