

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.

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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.

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- 2. It provides that a school board must approve the acceptance of private gifts, grants and donations received to offset the costs of developing and implementing an innovation plan.
- 3. It adds provisions to the bill pertaining to the collective bargaining rights of public school employees when an innovative school, zone or district is established under an innovation plan. The amendment provides for the continuation and assignment of collective bargaining agreements, the continuation of continuing contract rights for teachers and the continued recognition of bargaining agents that represent a collective bargaining unit of public employees employed by a public school that establishes an innovative school, zone or district.
- 4. It provides for the establishment of the Fund for the Efficient Delivery of Educational Services within the Department of Education. The fund permits the department to provide grants to school administrative units, municipalities and counties or a combination of two or more of these entities to implement plans for local and regional initiatives such as innovative public schools, zones or districts in order to improve educational opportunity and student achievement through the efficient delivery of educational services.
- 5. It also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2011, chapter 446 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 law 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 law 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 law 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. The law further provides for the continuation and assignment of collective bargaining agreements, the continuation of continuing contract rights for teachers and the continued recognition of bargaining agents that represent a collective bargaining unit of public employees employed by a public school that establishes an innovative school, zone or district.

The law also provides for the establishment of the Fund for the Efficient Delivery of Educational Services within the Department of Education. The fund permits the department to provide grants to school administrative units, municipalities and counties or a combination of 2 or more of these entities to implement plans for local and regional initiatives such as innovative public schools, zones or districts in order to improve educational opportunity and student achievement through the efficient delivery of educational services.

**LD 1493 An Act Regarding the Powers of the Director of the Maine State
Museum Commission**

PUBLIC 151

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

This bill provides statutory authority for the Director of the Maine State Museum Commission to actively solicit the gifts, grants, donations, bequests, endowments and membership fees currently authorized for acceptance by the director.

Enacted Law Summary

Public Law 2011, chapter 151 provides statutory authority for the Director of the Maine State Museum Commission