

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION AND
CULTURAL AFFAIRS**

June 2012

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STATE OF MAINE

125TH LEGISLATURE
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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 Second 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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. 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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Committee Amendment "A" (H-730)

This amendment authorizes the Commissioner of Education to remove electronic and physical fingerprint records in the fingerprint file maintained by the Department of Public Safety, State Bureau of Identification when the applicant for a department credential has not had an active credential for a period of 7 years.

Enacted Law Summary

Public Law 2011, chapter 521 authorizes the Commissioner of Education to allow access to criminal history record information to entities providing document management to the Department of Education. The law also authorizes the Commissioner of Education to remove electronic and physical fingerprint records in the fingerprint file maintained by the Department of Public Safety, State Bureau of Identification when the applicant for a department credential has not had an active credential for a period of 7 years.

LD 1770 An Act To Encourage Parental Involvement in Education

PUBLIC 571

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-448

This bill requires school administrative units and public charter schools, in consultation with parents, teachers and administrators, to develop a parental involvement plan that promotes student achievement. Each school board and governing board is required to annually approve a parental involvement plan for the school administrative unit and the public charter school and to submit the plan to the Commissioner of Education. The bill also requires the Commissioner of Education to post on the Department of Education's publicly accessible website the names of all schools and public charter schools that do not develop a parental involvement plan.

Committee Amendment "A" (S-448)

This amendment strikes and replaces the bill. It directs the Commissioner of Education, in collaboration with school boards, school administrators, teachers, parents, students and other community members, to review parental involvement initiatives developed in this State and other jurisdictions that promote improvement in student learning and academic achievement. The commissioner is required to select exemplary parental involvement initiatives and post information on the selected initiatives on the Department of Education's publicly accessible website. The commissioner is also required to disseminate information in writing to school administrative units on the exemplary parental involvement initiatives posted on the department's publicly accessible website no later than December 31, 2012, and to strongly encourage school boards to adopt local procedures for implementing a districtwide parental involvement initiative as school board policy. The amendment provides that, beginning with the 2013-2014 school year, a school administrative unit that adopts a parental involvement initiative may submit a copy of that initiative to the department, which the commissioner is required to post on the department's publicly accessible website along with links to the publicly accessible websites of those school administrative units that have adopted districtwide parental involvement initiatives as school board policy.

Enacted Law Summary

Public Law 2011, chapter 571 directs the Commissioner of Education, in collaboration with school boards, school administrators, teachers, parents, students and other community members, to review parental involvement initiatives developed in this State and other jurisdictions that promote improvement in student learning and academic achievement. The commissioner is required to select exemplary parental involvement initiatives and post information on the selected initiatives on the Department of Education's publicly accessible website. The commissioner is also required to disseminate information in writing to school administrative units on the exemplary

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parental involvement initiatives posted on the department's publicly accessible website no later than December 31, 2012, and to strongly encourage school boards to adopt local procedures for implementing a districtwide parental involvement initiative as school board policy. The law also provides that, beginning with the 2013-2014 school year, a school administrative unit that adopts a parental involvement initiative may submit a copy of that initiative to the department, which the commissioner is required to post on the department's publicly accessible website along with links to the publicly accessible websites of those school administrative units that have adopted districtwide parental involvement initiatives as school board policy.

LD 1772 An Act To Enforce Prompt Payment to Career and Technical Education Regions PUBLIC 489

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

The purpose of this bill is to enforce prompt payment from school administrative units to career and technical education regions. This bill establishes a process, similar to the process established in statute for school administrative unit assessments and regional school unit assessments, that authorizes the imposition of interest on unpaid installments of the amounts owed by school administrative units for their shares of the applicable career and technical education region assessment.

Enacted Law Summary

Public Law 2011, chapter 489 establishes provisions to enforce prompt payment from school administrative units to career and technical education regions. The law establishes a process to notify school administrative units of the failure to provide payment to a career and technical education region and authorizes the imposition of interest on unpaid installments of the amounts owed by school administrative units for their shares of the applicable career and technical education region assessment.

LD 1775 Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a Major Substantive Rule of the Department of Education and the State Board of Education RESOLVE 125 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-713

This resolve provides for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a major substantive rule of the Department of Education and the State Board of Education.

Committee Amendment "A" (H-713)

This amendment conditionally authorizes a major substantive rule of the Department of Education and the State Board of Education, Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II. The Department of Education and the State Board of Education are directed to amend the rule to clarify that in order to meet Certificate Eligibility Pathway 4, all 4 requirements need to be met.

Enacted Law Summary