

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> 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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CAROLYN RUSSO, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

125<sup>TH</sup> 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 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.

<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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 125<sup>th</sup> 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.

*Joint Standing Committee on Education and Cultural Affairs*

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**

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

Resolve 2011, chapter 125 provides final adoption 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, is authorized contingent upon the Department of Education amending the proposed rule to clarify Certificate Eligibility Pathway 4.

Resolve 2011, chapter 125 was finally passed as an emergency measure effective March 14, 2012.

### **LD 1779      An Act To Update the Career and Technical Education Laws**

**PUBLIC 679**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP-AM	S-416 S-604 ROSEN R

This bill provides an update in language for the career and technical education laws to reflect current terminology, including changing all statutory references to "vocational" education to "career and technical" education. It requires all career and technical education programs to be based on national industry standards, or state-level standards if national industry standards are not available or applicable. This bill also clarifies references to school units other than those school units composed of single towns in an effort to reduce confusion resulting from school reorganization.

#### **Committee Amendment "A" (S-416)**

This amendment does the following.

1. It removes the emergency preamble and emergency clause.
2. It defines "articulation agreement" in the Maine Revised Statutes, Title 20-A, chapter 313. The definition is based on federal regulations under the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270.
3. It requires career and technical education programs to provide learning pathways, including those set forth in articulation agreements with postsecondary institutions, and provides that an existing approved career and technical education program does not need to go through the entire approval process again, but only needs to certify to the Commissioner of Education that the program, as adopted, is designed to enable a student to meet industry standards. It also changes the effective date of this requirement from July 1, 2012 to July 1, 2013.
4. It reinstates the local approval requirement for reorganization of career and technical education centers or regions.
5. It clarifies that a career and technical education center is not only operated in certain municipalities but must serve its affiliated units.
6. It strikes a provision relating to the late payments of assessments by member units of a career and technical education region.

#### **Senate Amendment "A" To Committee Amendment "A" (S-604)**

This amendment adds a mandate preamble. This amendment also makes a technical change to incorporate language that was enacted in Public Law 2011, chapter 570, section 19 to prevent a conflict.