

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
SECOND 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 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.

Joint Standing Committee on Education and Cultural Affairs

Enacted Law Summary

Public Law 2011, chapter 679 updates the career and technical education statutes to reflect current terminology, including changing all statutory references to "vocational" education to "career and technical" education. The law makes the following changes.

1. 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.
2. It clarifies references to school units other than those school units composed of single towns in an effort to reduce confusion resulting from school reorganization.
3. It establishes a definition for "articulation agreement" in that is based on federal regulations under the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270.
4. It requires career and technical education programs to provide learning pathways, including those set forth in articulation agreements with postsecondary institutions, no later than July 1, 2013. It also 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.
5. It reinstates the local approval requirement for reorganization of career and technical education centers or regions.

LD 1780

An Act To Enhance Career Pathways for Adult Learners

PUBLIC 517

Sponsor(s)

LANGLEY

Committee Report

OTP-AM

Amendments Adopted

S-410

This bill revises the definition of "adult education" by describing what services must be offered in order to receive state subsidy. It establishes career pathways services as part of adult education, removes provisions concerning adult career and technical education classes that are outside the scope of adult education funding and removes obsolete provisions regarding adult education subsidy reimbursement. The bill also confirms the State's commitment to serving adult learners with disabilities under the federal Individuals with Disabilities Education Act, Section 504 of the federal Rehabilitation Act of 1973 and the federal Americans with Disabilities Act of 1990.

Committee Amendment "A" (S-410)

The bill repeals the requirement that state reimbursement for expenditures on adult education programs must be based on actual costs. This amendment retains that provision of law, but removes outdated statutory exceptions for fiscal years 1991-92, 1992-93, 1995-96 and 1996-97.

Enacted Law Summary

Public Law 2011, chapter 517 revises the definition of "adult education" by describing what services must be offered in order to receive state subsidy. The law establishes career pathways services as part of adult education, removes provisions concerning adult career and technical education classes that are outside the scope of adult education funding and removes obsolete provisions regarding adult education subsidy reimbursement. This law also confirms the State's commitment to serving adult learners with disabilities under the federal Individuals with Disabilities Education Act, Section 504 of the federal Rehabilitation Act of 1973 and the federal Americans with Disabilities

Joint Standing Committee on Education and Cultural Affairs

Act of 1990.

LD 1781 An Act To Restructure the National Board Certification Program for Teachers

PUBLIC 702

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-488 S-610 ROSEN R

This bill restructures the incentive established for teachers who attain certification from the National Board for Professional Teaching Standards. The bill provides, beginning with the 2012-2013 school year, the payment of the \$3,000 annual salary supplement awarded to national board-certified teachers must be provided with funds from the Department of Education and the state subsidy allocated to the school administrative unit that employs the teacher. The bill also establishes an incentive to encourage teachers to apply for national board certification. The bill provides, beginning with school year 2012-2013, up to 10% of the per-pupil amount for professional development allocated to a school administrative unit must be awarded to provide payment of the application fees for teachers employed by the school administrative unit who apply for national board certification during the year of allocation. If a school administrative unit fails to use the full 10% of the per-pupil amount to pay for application fees, the Commissioner of Education may withhold from the next year's allocation the unused amount.

Committee Amendment "A" (S-488)

This amendment restructures the salary supplement incentive established for teachers who attain certification from the National Board for Professional Teaching Standards. The amendment provides, in fiscal year 2012-13, a salary supplement of \$2,500 must be awarded to national board certified teachers; in fiscal year 2013-14, a salary supplement of \$2,750 is awarded to national board certified teachers; and in fiscal year 2014-15 and succeeding years, a salary supplement of \$3,000 is awarded to national board certified teachers. The amendment establishes, beginning in fiscal year 2012-13, the National Board Certification Salary Supplement Fund. The salary supplement must be funded through fees collected by the Department of Education for teacher recertification. The amendment also establishes an incentive to encourage teachers with at least 3 years of experience who agree to mentor another teacher through the national board certification process to apply for national board certification. The amendment provides, beginning with fiscal year 2012-13, the department must establish a nonlapsing scholarship fund to encourage teachers to apply to and enroll in the certificate program of the National Board for Professional Teaching Standards. The amendment also removes a reference to the national board certification salary supplement in the Maine Revised Statutes, Title 20-A, section 15689-A. The amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-610)

This amendment restores and amends a reference to the national board certification salary supplement in the Maine Revised Statutes, Title 20-A, section 15689-A. It also adds a new appropriations and allocations section.

Enacted Law Summary

Public Law 2011, chapter 702 restructures the salary supplement incentive established for teachers who attain certification from the National Board for Professional Teaching Standards. It provides that, in fiscal year 2012-13, a salary supplement of \$2,500 must be awarded to national board-certified teachers; in fiscal year 2013-14, a salary supplement of \$2,750 is awarded to national board-certified teachers; and in fiscal year 2014-15 and succeeding years, a salary supplement of \$3,000 is awarded to national board-certified teachers. Public Law 2011, chapter 702 establishes, beginning in fiscal year 2012-13, the National Board Certification Salary Supplement Fund. The salary supplement must be funded through a portion of teacher certification fees