

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1323

H.P. 927

House of Representatives, March 31, 2009

An Act To Control the Costs of College Textbooks

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative LAJOIE of Lewiston.
Cosponsored by Senator BLISS of Cumberland and
Representatives: ADAMS of Portland, BEAUDOIN of Biddeford, BOLDUC of Auburn,
HANLEY of Gardiner, MAGNAN of Stockton Springs, ROTUNDO of Lewiston,
VALENTINO of Saco, WAGNER of Lewiston.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 20-A MRSA §10009 is enacted to read:

3 **§10009. Sale and purchase of textbooks and instructional materials**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Bundled," with respect to instructional materials, means that a textbook and
7 other instructional materials are packaged together with supplemental items that are
8 not required or recommended for a given course by faculty or staff to be sold for one
9 price. Instructional materials are not considered bundled if they are designed solely
10 for sale as an integrated combination of 2 or more units or materials that cannot be
11 sold separately due to 3rd-party contractual agreements, custom editions or special
12 editions.

13 B. "Instructional materials" means any textbooks, workbooks, CD-ROMs and other
14 course-related material required or recommended by the faculty or staff for a given
15 course.

16 C. "Postsecondary educational institution" or "institution" means any postsecondary
17 educational institution incorporated or chartered under the laws of the State.

18 **2. Bundled instructional materials.** A publisher of instructional materials may not
19 provide bundled instructional materials for sale to students unless students are also
20 provided with the option of purchasing those instructional materials separately.

21 **3. Price of instructional materials; history of revisions.** A publisher of
22 instructional materials that may be purchased by students enrolled at a postsecondary
23 educational institution shall, upon request of a faculty or staff member of that institution,
24 make the following available prior to the completion of an order for instructional
25 materials for a given course:

26 A. The price at which the publisher will make the instructional materials available to
27 bookstores located on campus or that have a contract with the institution to provide
28 bookstore services to its students; and

29 B. A list containing the history and details of revisions, if any, for the instructional
30 materials since the last published edition.

31 **4. Code of ethics and practice standards for employees and vendors.** A
32 postsecondary educational institution shall establish a code of ethics and practice
33 standards for faculty, staff and vendors that provide that:

34 A. An employee of a postsecondary educational institution may not demand or
35 receive any payment, loan, subscription, advance, deposit of money, service or
36 anything of value, present or promised, as an inducement for requiring students
37 enrolled at the institution to purchase specific instructional materials. An employee
38 or a department of a postsecondary educational institution may receive:

