

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

CHAPTER 77
H.P. 736 - L.D. 1069

**Resolve, To Direct the Maine
Children's Growth Council To
Study the Connections between
Higher Education and Early
Childhood Education**

Sec. 1. Convene working group. Resolved: That the Maine Children's Growth Council, as established in the Maine Revised Statutes, Title 5, chapter 621, shall convene a working group to review and make recommendations for administrative or legislative action, or both, concerning the existing and potential connections between higher education and early childhood education, including, but not limited to, the ways in which the higher education system can support the development of the early childhood education system, the ways the early childhood education system can help strengthen the higher education system and the support needed to make this reciprocal relationship sustainable. The Department of Health and Human Services and the Department of Education shall participate in the working group as well as representatives from public universities, community colleges, child care providers, Head Start and other community stakeholders that the council may identify; and be it further

Sec. 2. Charge of working group. Resolved: That the working group shall consider ideas and make recommendations, including proposing legislation, if necessary, for creating a partnership between child care providers and state institutions of higher learning that will allow for ongoing communication about the health and needs of the State's early childhood education and higher education systems; and be it further

Sec. 3. Determine opportunities for additional child care resources. Resolved: That the working group shall:

1. Analyze the federal Higher Education Act of 1965, which identifies child care as a specific example of a special circumstance for the use of what federal law and regulations refer to as "professional judgment," to determine the extent to which the use of professional judgment provides additional opportunity to increase access to child care for students in need;

2. Consult with the Maine Association of Student Financial Aid Administrators to review the current practice of financial aid officers in administering the professional judgment provisions on a case-by-case basis when determining an applicant's eligibility for federal financial aid, including the extent to which financial aid officers exercised the professional judgment provisions in 2008 as a percentage of the total number of financial aid applications for which they

provided assistance; and to review the strategies recommended to financial aid officers for implementing the nonregulatory guidance provided in the United States Department of Education letters dated April 2, 2009 and May 8, 2009 regarding the use of professional judgment; and

3. Examine the extent to which existing child care resources are available for increasing educational opportunities in this State; and be it further

Sec. 4. Report. Resolved: That the working group shall provide a report to the Joint Standing Committee on Health and Human Services with findings and recommendations, including any draft legislation necessary, no later than January 15, 2010. The joint standing committee is authorized to submit a bill related to the subject of the report to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 78
H.P. 689 - L.D. 1001

**Resolve, To Require the Office
of Employee Health and
Benefits To Report on Its
Demonstration Project To
Provide Access to Fitness
Programs for State Employees**

Sec. 1. Report on demonstration project. Resolved: That the Executive Director of the Office of Employee Health and Benefits within the Department of Administrative and Financial Services shall provide a report on the demonstration project to provide access to fitness programs for state employees. In preparing the report, the executive director shall submit information on the demonstration project, including, but not limited to, the number of participating state employees, the number and location of participating fitness centers, the types of fitness services used and the number of visits to fitness centers by state employees and the financial impact on the group health plan. The executive director shall submit the report to the Joint Standing Committee on Insurance and Financial Services no later than February 1, 2010. The Joint Standing Committee on Insurance and Financial Services is authorized to submit legislation concerning the report to the Second Regular Session of the 124th Legislature.

See title page for effective date.
