

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

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

May 2008

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STATE OF MAINE
123RD LEGISLATURE
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill 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 bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<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; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill 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>UNSIGNED</i>	<i>Bill held by Governor</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 (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Education and Cultural Affairs

LD 2026 **Resolve, To Reimburse School Administrative District No. 11 for the State Share of Retirement Contributions Paid in Error**

RESOLVE 217

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM	H-702 S-677 ROTUNDO

This resolve requires the Commissioner of Education to make a state subsidy adjustment to School Administrative District No. 11 for contributions to the Maine Public Employees Retirement System that should have been paid by the Department of Education from state funds but were instead paid in error by School Administrative District No. 11 from local funds.

Committee Amendment "A" (H-702)

This amendment specifies that the reimbursement to School Administrative District No. 11 for retirement contributions it made that should have been paid by the State must be made by the Commissioner of Administrative and Financial Services from an appropriation for that purpose, rather than by the Commissioner of Education through a subsidy adjustment as proposed in the resolve. This amendment also adds an appropriations and allocations section.

Senate Amendment "A" (S-677)

This amendment replaces the resolve and provides that the Governor must include in the biennial budget bill for the 2010-2011 biennial budget funding in the amount of \$90,788 for the reimbursement to School Administrative District No. 11 for the State's share of retirement contributions paid by the school district in error to be offset by a reduction in the fiscal year 2009-10 appropriation for teacher retirement.

Enacted Law Summary

Resolve 2007, chapter 217 provides that the Governor must include in the biennial budget bill, for the 2010-2011 biennial budget, funding in the amount of \$90,788 for the reimbursement to School Administrative District No. 11 for the State's share of retirement contributions paid by the school district in error to be offset by a reduction in the fiscal year 2009-10 appropriation for teacher retirement.

LD 2027 **Resolve, To Examine the Information, Training and Support Services Provided to Parents of Children with Disabilities**

RESOLVE 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD	OTP-AM	H-760

This bill creates an ombudsman program to provide services to children and families in the State regarding special education programs and special education services and to provide support to students with disabilities and their parents, guardians and educators.

Committee Amendment "A" (H-760)

This amendment strikes the bill and replaces it with a resolve that directs the Maine Developmental Disabilities Council to establish a work group to examine the information, training and support services that are currently available to the parents of children with disabilities regarding special education programs and services, including the extent to which ombudsman services would be beneficial to the parents of children with disabilities. The Maine Developmental Disabilities Council shall convene the work group and provide all staffing assistance and funding necessary to carry out the duties of the work group. The Maine Developmental Disabilities Council shall submit a