

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

July 2009

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**STAFF:**

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST  
JILL IPPOLITI, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## 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 First Regular Session of the 124<sup>th</sup> 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 2      An Act To Provide Rule-making Authority to the Maine Library Commission**

**PUBLIC 2**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP	

This bill gives the Maine Library Commission the authority to adopt routine technical rules to carry out its responsibilities.

**Enacted Law Summary**

Public Law 2009, chapter 2 gives the Maine Library Commission the authority to adopt routine technical rules to carry out its responsibilities.

**LD 76      Resolve, To Study the Feasibility of Expanding the Curriculum of the Maine School of Science and Mathematics**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

This resolve directs the Board of Trustees of the Maine School of Science and Mathematics to conduct a study on the feasibility of including agricultural studies in the Maine School of Science and Mathematics' curriculum. The resolve also directs the Board of Trustees of the Maine School of Science and Mathematics to present study findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2010. Finally, the resolve gives the Joint Standing Committee on Education and Cultural Affairs the authority to submit a bill relating to the subject matter of the report to the Second Regular Session of the 124th Legislature.

**LD 77      Resolve, Regarding Legislative Review of Portions of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a Major Substantive Rule of the Department of Education**

**RESOLVE 2  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

This resolve provides for legislative review of portions of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a major substantive rule of the Department of Education.

**Enacted Law Summary**

Resolve 2009, chapter 2 authorizes final adoption of portions of Chapter 181: Child Development Services System: Regional Provider Advisory Boards, a major substantive rule of the Department of Education.

# Joint Standing Committee on Education and Cultural Affairs

Resolve 2009, chapter 2 was enacted as an emergency measure effective March 6, 2009.

**LD 78      Resolve, Regarding Legislative Review of Portions of Chapter 182:  
Formula for Distribution of Funds to Child Development Services  
Regional Sites, a Major Substantive Rule of the Department of  
Education**

**RESOLVE 87  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-374

This resolve provides for legislative review of portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a major substantive rule of the Department of Education.

### Committee Amendment "B" (H-374)

This amendment provides that final adoption of the provisionally adopted rule is not authorized by the Legislature.

### Enacted Law Summary

Resolve 2009, chapter 87 provides that final adoption of portions of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a provisionally adopted major substantive rule of the Department of Education is not authorized by the Legislature.

Resolve 2009, chapter 87 was enacted as an emergency measure effective June 4, 2009.

**LD 79      Resolve, Regarding Legislative Review of Portions of Chapter 61: State  
Board of Education Rules for Major Capital School Construction  
Projects, a Major Substantive Rule of the Department of Education**

**RESOLVE 142  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ ONTP MIN	H-49

This resolve provides for legislative review of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a major substantive rule of the Department of Education.

### Committee Amendment "A" (H-49)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It authorizes final adoption of the provisionally adopted rule if certain revisions are made. It requires a revision to the definition of "One Campus" and to elements of Section 15 that outline the criteria with which projects are rated. It requires that each of the 4 educational components, the regional high school, the career and technical high school, the higher education center and the industry training center, have a physical presence on the campus. It precludes any one component from offering only distance learning opportunities on campus. It declares the emergency rule authorized and adopted under Resolve 2007, chapter 223 to be invalid.

### Enacted Law Summary

Resolve 2009, chapter 142 authorizes final adoption of the provisionally adopted revisions to Chapter 61 of the