

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2009

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

STATE OF MAINE

124TH 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 124th 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 124th 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

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

Joint Standing Committee on Education and Cultural Affairs

State Board of Education rules but only if certain changes 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.

Resolve 2009, chapter 142 was finally passed as an emergency measure effective June 22, 2009.

**LD 92 An Act Pertaining to the Quality Child Care Education Scholarship
Fund**

**PUBLIC 22
EMERGENCY**

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

This bill repeals Public Law 2007, chapter 683, Part B, section 3, which directed the Finance Authority of Maine to increase the annual maximum disbursement amount of quality child care education scholarships established in Chapter 613 of the authority's rules. Without additional funding, the increase in the amount of scholarships would result in fewer scholarships being awarded.

Enacted Law Summary

Public Law 2009, chapter 22 repeals the directive to the Finance Authority of Maine to increase the annual maximum disbursement amount of quality child care education scholarships from \$2,000 to \$3,000. Without additional funding, the increase in the amount of scholarships would result in fewer scholarships being awarded.

Public Law 2009, chapter 22 was enacted as an emergency measure effective April 9, 2009.

**LD 95 An Act To Eliminate Penalties for Nonconforming School
Administrative Units**

INDEF PP

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

This bill amends the laws governing school administrative unit reorganization to eliminate the penalties set forth for nonconforming school administrative units.

**LD 96 An Act To Authorize the Implementation of Modified School Year
Calendars**

ONTP

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