

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
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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 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

LD 160 An Act To Require the Department of Education To Provide an Accounting of School Subsidy Based on Individual Members in a Regional School Unit or Alternative Organizational Structure

Carried Over

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

Current law requires the Commissioner of Education to notify school boards of the amount of school subsidy to be allocated to school administrative units. This bill requires the Commissioner of Education to also provide the governing bodies of regional school units and alternative organizational structures with the computation and the amount of the allocation of school subsidy that the commissioner has estimated for the regional school units and each member municipality in the regional school unit or for the alternative organizational structure and each member entity in the alternative organizational structure.

This bill was carried over to any special or regular session of the 124th Legislature by joint order, H.P. 1053.

LD 161 An Act To Amend the Special Education, School Health and School Nutrition Laws Regarding Scoliosis Screening, the School Lunch Program, Transitional Services, Gifted and Talented Education Programs and the Maine Mentoring Partnership Grant Program

PUBLIC 147

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WEBSTER MILLS P	OTP-AM	H-199

This bill makes the following changes to the education laws.

1. It repeals the requirement for scoliosis screening of students in schools.
2. It aligns foods outside of the school meal program with school nutrition standards and school lunch and milk program statutes and rules. It changes the rule-making provisions, allowing but not requiring the Department of Education to adopt rules in order to complete alignment with current Department of Education rules Chapter 51.
3. It changes references to "handicapped youths" to "students with disabilities" in statutes pertaining to transitional services for students with disabilities.
4. It repeals outdated funding provisions and timelines for implementation of gifted and talented provisions.
5. It repeals the Maine Mentoring Partnership Grant Program since there have been no appropriations for the program for several years and the program no longer is operational.

Committee Amendment "A" (H-199)

This amendment makes the following changes to the bill.

1. It strikes the section of the bill that changed the requirement that the Department of Education adopt major substantive rules to establish standards for food and beverages sold or distributed on school grounds but outside of

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school meal programs to an optional adoption of routine technical rules.

2. It directs the Department of Education to submit to the Legislature provisionally adopted rules necessary to implement the requirements of the Maine Revised Statutes, Title 20-A, section 6662, subsection 2 for the 2010-2011 school year. Rules provisionally adopted by the department must align the standards for food and beverages sold or distributed on school grounds but outside of school meal programs with the nutritional standards established for the total food service program as defined in Department of Education rules Chapter 51.

3. It changes a reference to "mentally retarded persons" to "individuals with developmental disabilities" in the law pertaining to transitional services for students with disabilities.

Enacted Law Summary

Public Law 2009, chapter 147 makes the following changes to the education laws.

1. It repeals the requirement for scoliosis screening of students in schools.

2. It aligns foods outside of the school meal program with school nutrition standards and school lunch and milk program statutes and rules. It also directs the Department of Education to submit to the Legislature provisionally adopted rules necessary to implement the requirements of the Maine Revised Statutes, Title 20-A, section 6662, subsection 2 for the 2010-2011 school year. Rules provisionally adopted by the department must align the standards for food and beverages sold or distributed on school grounds but outside of school meal programs with the nutritional standards established for the total food service program as defined in Department of Education rules Chapter 51.

3. It changes references to "handicapped youths" to "students with disabilities" in statutes pertaining to transitional services for students with disabilities; and it changes references to "mentally retarded persons" to "individuals with developmental disabilities" to in the law pertaining to transitional services for students with disabilities.

4. It repeals outdated funding provisions and timelines for implementation of gifted and talented provisions.

5. It repeals the Maine Mentoring Partnership Grant Program since there have been no appropriations for the program for several years and the program no longer is operational.

LD 174 An Act Regarding School Consolidation

ONTP

Sponsor(s)

BRYANT B

Committee Report

ONTP

Amendments Adopted

This bill allows school administrative units to count students who reside in the unorganized territories and attend schools within those school administrative units when submitting a plan for a regional school unit.