

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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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

Committee Amendment "A" (S-186)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2009, chapter 19 exempts the towns of Jackman and Moose River, Union 60 and Union 37 from minimum student enrollments established in statute for regional school units. The Commissioner of Education is required to treat the towns in a manner similar to the treatment of coastal islands.

Private and Special Law 2009, chapter 19 was enacted as an emergency measure effective June 2, 2009.

LD 470 An Act To Sustain Nursing Education in Lincoln County Carried Over

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

This bill provides ongoing General Fund appropriations of \$500,000 per year beginning in fiscal year 2009-10 for Central Maine Community College's Lincoln County nursing program in Damariscotta, Maine.

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

LD 475 An Act Regarding the Reorganization of Regional School Units and Allowing a Municipality To Opt Out of an Existing School Structure ONTP

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

This bill enacts into law provisions regarding the reorganization of regional school units. The new provisions are similar to the Maine Revised Statutes, Title 20-A, former sections 1405 and 1406 and allow the withdrawal from a regional school unit of a municipality and the transfer of a municipality out of one regional school unit into another. The bill also includes provisions that formerly applied in this area of law authorizing the State Board of Education to review decisions of the Commissioner of Education and to make rules concerning the reorganization of the regional school units.

LD 489 Resolve, Regarding Continuity of Care in the Child Development Services System RESOLVE 113 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	H-487 SUTHERLAND S-232

Joint Standing Committee on Education and Cultural Affairs

This resolve directs the Department of Education to amend its rules governing special education to align reimbursement of collateral contact with the MaineCare program; to require each Individualized Educational Program Team to make a determination regarding extended school year services at every Individualized Educational Program Team meeting; to clarify that the Individualized Education Program Team may make a determination about extended school year services based on available data, including information about a child's disability, even if an interruption in service has not occurred; to clarify that a Child Development Services System regional site may not unilaterally limit the duration of extended school year services; and to adjust the timeline for special education evaluation to 60 calendar days for the Child Development Services System while leaving it at the current state standard of 45 school days for public school districts.

Committee Amendment "A" (S-232)

This amendment strikes the provision in the resolve that proposes to direct the Department of Education to amend its rules governing special education to align reimbursement of collateral contact with the MaineCare program.

House Amendment "A" (H-487)

This amendment adds an emergency preamble and emergency clause and requires the Department of Education to engage in emergency rulemaking.

Enacted Law Summary

Resolve 2009, chapter 113 directs the Department of Education to amend its rules governing special education to require each Individualized Educational Program Team to make a determination regarding extended school year services at every Individualized Educational Program Team meeting; to clarify that the Individualized Education Program Team may make a determination about extended school year services based on available data, including information about a child's disability, even if an interruption in service has not occurred; to clarify that a Child Development Services System regional site may not unilaterally limit the duration of extended school year services; and to adjust the timeline for special education evaluation to 60 calendar days for the Child Development Services System while leaving it at the current state standard of 45 school days for public school districts.

Resolve 2009, chapter 113 was finally passed as an emergency measure effective June 9, 2009.

LD 520 An Act Authorizing Colleges and Universities To Regulate Public Safety on Their Campuses

PUBLIC 170

Sponsor(s)

ROTUNDO

Committee Report

OTP MAJ
ONTP MIN

Amendments Adopted

This bill authorizes colleges and universities to regulate the possession of firearms on their campuses.

Enacted Law Summary

Public Law 2009, chapter 170 authorizes colleges and universities to regulate the possession of firearms on their campuses.