

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

LD 749 Resolve, Directing the Department of Education To Take Measures To Assist Blind and Visually Impaired Students

RESOLVE 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON	OTP-AM	H-95

This resolve directs the Department of Education to develop a proposal to create a position of Braille transcriber and assistant and to submit its proposal to the Joint Standing Committee on Appropriations and Financial Affairs no later than December 3, 2009.

Committee Amendment "A" (H-95)

This amendment directs the Department of Education to establish standards for credentialing Braille transcribers and assistants and to allow employment of assistants receiving training in Braille to be considered an approved special education cost. It also corrects the committee to receive the report. The report is to be submitted to the Joint Standing Committee on Education and Cultural Affairs.

Enacted Law Summary

Resolve 2009, chapter 29 directs the Department of Education to develop a proposal to establish standards for credentialing Braille transcribers and assistants and to allow employment of assistants receiving training in Braille to be considered an approved special education cost. It requires the department to submit its proposal to the Joint Standing Committee on Education and Cultural Affairs no later than December 3, 2009 and authorizes the committee to report out legislation to the Second Regular Session of the 124th Legislature.

LD 750 An Act To Exempt Certain Municipalities from the Requirement To Hold Referenda on School Budgets

ONTP

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

This bill provides an exemption from the budget validation referendum voting requirements for municipal school units where the municipal charter provides that the municipal legislative body and the school committee are elected bodies and where the municipal charter requires that a public hearing and one or more budget meetings are held on the proposed school budget before the municipal legislative body votes to adopt the school budget.

LD 773 An Act To Increase Funding for Higher Education

DIED IN CONCURRENCE

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

Joint Standing Committee on Education and Cultural Affairs

This bill requires the State to contribute 55% of the total operating costs of the State's public higher educational institutions by fiscal year 2011-12 and provides funding to Maine Maritime Academy, the Maine Community College System and the University of Maine System in order for the percentage contributed by the State to be equal to 45% of the operating costs in fiscal year 2009-10 and 50% in fiscal year 2010-11.

**LD 778 An Act To Exempt Certain Isolated Rural Communities from the
Minimum Student Enrollment Requirements in the Laws Governing the
Reorganization of School Administrative Units**

ONTP

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

This bill amends the laws governing the reorganization of school administrative units to provide that school administrative units located in isolated rural communities may be eligible for an exception to the minimum student enrollment requirements by entering into a collaborative agreement for administrative, instructional and noninstructional functions with another school administrative unit prior to July 1, 2009.

**LD 806 An Act To Authorize Fuel Cost Stabilization Funds To Be Established
in School Administrative Units**

PUBLIC 104

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-92

This bill permits a school administrative unit to establish a fuel cost stabilization fund for unexpected heating and transportation fuel costs. The appropriations and transfers into the fund may not exceed the highest annual cost for fuel that the school administrative unit has experienced in its 3 most recent fiscal years.

Committee Amendment "A" (S-92)

This amendment clarifies the method for a new or reorganized school administrative unit to determine the limit of the amount that may be transferred to a fuel cost stabilization fund. The amendment also removes cross-references to the provision that states that investment of the fund will be subject to the laws applicable to school reserve funds.

Enacted Law Summary

Public Law 2009, chapter 104 permits a school administrative unit to establish a fuel cost stabilization fund for unexpected heating and transportation fuel costs. The appropriations and transfers into the fund may not exceed the highest annual cost for fuel that the school administrative unit has experienced in its 3 most recent fiscal years.