

# 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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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  
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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 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 864      An Act To Provide for the Certification of Teachers in a Critical Teacher Shortage Area**

**ONTP**

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

This bill provides that a superintendent may certify a teacher for a period not to exceed one year when there is a critical teacher shortage need in the school administrative unit that meets criteria established by rules adopted by the State Board of Education. The critical teacher shortage need certificate may be renewed by the superintendent if the superintendent determines that the critical teacher shortage need in the school administrative unit still exists after the expiration of the certificate and upon a positive recommendation of the teacher from a peer review team of teachers within the school administrative unit.

**LD 866      Resolve, To Examine Data Discrepancies and Adequately Identify and Serve Children with Brain Injuries**

**RESOLVE 112**

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

This resolve requires the Department of Education to review the discrepancy in information available in data from MaineCare and the Office of Special Services regarding the number of children in the State identified with brain injuries. The department shall also investigate the availability of testing and screening that is available to develop a plan to institute annual health screening of children and youth in schools for brain injury. The department shall report to the Legislature by February 15, 2010 with its findings, recommendations and suggested legislation.

**Enacted Law Summary**

Resolve 2009, chapter 112 requires the Department of Education to review the discrepancy in information available in data from MaineCare and the Office of Special Services regarding the number of children in the State identified with brain injuries. The department shall also investigate the availability of testing and screening that is available to develop a plan to institute annual health screening of children and youth in schools for brain injury. The department shall report to the Legislature by February 15, 2010 with its findings, recommendations and suggested legislation.

**LD 933      An Act To Prohibit Cyberbullying**

**ONTP**

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

This bill amends the current law covering the prohibition of hazing in public schools to specifically cover cyberbullying. Current law requires each school board to adopt a policy that addresses injurious hazing. This bill defines "cyberbullying" as injurious hazing by any verbal, textual or graphic communication of any kind effected, created or transmitted by the use of any electronic device, including but not limited to a computer, telephone,

***Joint Standing Committee on Education and Cultural Affairs***

cellular telephone, text messaging device and personal digital assistant.

**LD 963      Resolve, Directing the University of Maine System To Self-transition Its Educational Broadband Service from Analog to Digital      ONTP**

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

This resolve requires the University of Maine System to notify the Secretary of the Federal Communications Commission on or before April 21, 2009 that the University of Maine System will self-transition its Educational Broadband Service by relocating to its default channel locations specified in federal regulations.

**LD 977      An Act To Repeal the School District Consolidation Laws      DIED BETWEEN HOUSES**

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

This initiated bill repeals the laws related to the consolidation of school administrative units that were enacted by the First Regular Session of the 123rd Legislature in Public Law 2007, chapter 240, Part XXXX. It restores the laws that were amended or repealed to accommodate the consolidation.

Since this initiated bill was not enacted by the Legislature without change, the bill must be submitted to the voters at the next statewide election to be held on November 3, 2009.

**LD 984      Resolve, To Establish a Pilot Program To Provide Greater Cooperation and Coordination between the University of Maine System and the Maine Community College System      RESOLVE 28**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E	OTP-AM	S-93

This resolve establishes a pilot program between the University of Maine System and the Maine Community College System, more specifically between the University of Southern Maine and Southern Maine Community College and between the University of Maine at Augusta and Kennebec Valley Community College, to provide a seamless process of going from an associate degree program at the community college onto a baccalaureate degree program at the university. The pilot program will be established after consultation with faculty from all 4 schools, along with a review of the majors at the schools. The program will be composed of students who take prescribed courses along with electives. After the first participating class graduates, the University of Maine System and the Maine Community College System will report back to the joint standing committee of the Legislature having jurisdiction over education matters on its assessment of the program and any recommendations.