

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. JUSTIN L. ALFOND, CHAIR
SEN. ELIZABETH M. SCHNEIDER
SEN. CAROL WESTON

REP. PATRICIA B. SUTHERLAND, CHAIR
REP. EDWARD D. FINCH
REP. ALAN M. CASAVANT
REP. RICHARD V. WAGNER
REP. STEPHEN D. LOVEJOY
REP. MARY PENNELL NELSON
REP. HELEN RANKIN
REP. DAVID E. RICHARDSON
REP. HOWARD E. MCFADDEN
REP. PETER B. JOHNSON

STAFF:

PHILLIP D. MCCARTHY, LEGISLATIVE ANALYST
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

LD 1319 An Act To Provide Collective Bargaining Protections for Alternative Organizational Structure Employees

ONTP

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

This bill adds provisions to the school reorganization laws regarding employment and collective bargaining for school units that reorganize as alternative organizational structures and that decide to consolidate employment at the alternative organizational structure level to perform services, programs and functions in addition to administration of those services. These provisions are modeled on similar provisions in the laws that apply to regional school units, which were omitted from the portion of the laws that apply to alternative organizational structures. The bill also adds similar employment and collective bargaining provisions for employees of school unions who are now represented by a bargaining agent, which were also omitted from the school reorganization laws.

LD 1323 An Act To Control the Costs of College Textbooks

ONTP

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

This bill requires publishers of textbooks and other instructional materials that are provided for use in postsecondary educational institutions in the State to disclose, upon the request of a faculty or staff member, the price of the instructional materials prior to the completion of such orders for instructional materials for a given course. The bill prohibits the practice of bundling, which requires a student purchasing college textbooks and required instructional materials to also purchase other supplemental items that are not required for a given course. The bill also requires postsecondary educational institutions in the State to establish a code of ethics and practice standards for faculty, staff and vendors who order textbooks and other instructional materials.

LD 1324 An Act To Adopt the Interstate Compact on Educational Opportunity for Military Children

PUBLIC 409

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT J MILLS P	OTP-AM	H-318

This bill enacts the Interstate Compact on Educational Opportunity for Military Children.

Committee Amendment "A" (H-318)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2009, chapter 409 enacts the Interstate Compact on Educational Opportunity for Military Children. The

Joint Standing Committee on Education and Cultural Affairs

interstate compact establishes provisions to facilitate the transition of a child of a military family that transfers from a school in one member state to a school in another member state. The law includes articles for the interstate compact that address the following.

1. Educational records and enrollment;
2. Course placement and educational program placement;
3. Eligibility for participation in extracurricular activities;
4. Procedures to facilitate on-time graduation;
5. Establishment of a state council to coordinate activities of the state education agency, local education agencies and military installations related to the interstate compact provisions;
6. Establishment of the Interstate Commission on Educational Opportunity for Military Children, including member state participation in the interstate commission; and
7. Oversight, enforcement and dispute resolution provisions.

**LD 1325 An Act Regarding Curriculum Requirements and Standards for
Awarding a High School Diploma**

PUBLIC 313

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUTHERLAND MITCHELL E	OTP-AM	H-512

This bill amends standards for student assessment, basic school approval, the elementary, middle and secondary courses of study, the comprehensive program of study for the high school diploma and the Department of Education diploma in order to more fully implement the parameters for essential instruction and graduation requirements.

Committee Amendment "A" (H-512)

This amendment accomplishes the following.

1. It amends the provision that elementary and secondary schools provide students with opportunities for learning in multiple pathways by removing the requirement that schools may include opportunities to accelerate learning to meet the needs of individual students and by reinstating the provision that instruction for individual students may include instruction for gifted and talented students.
2. It removes the requirements that secondary schools and junior high schools or middle schools must develop and maintain a personal learning plan for each student.
3. It amends the provision that secondary school students may demonstrate achievement of the parameters for essential instruction and graduation requirements based on evidence documented by course and learning experiences using multiple measures by removing the requirements that student achievement must be based on state-level supported assessments established by the Department of Education or by state-developed rubrics or locally developed rubrics approved by the department.
4. It removes the requirements for transition to a standards-based diploma, including the provisions that a diploma may only be awarded for credit earned in the 4 content areas of English language arts, mathematics, science and