

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 1336 An Act To Preserve School Choice Rights

ONTP

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

This bill clarifies the obligation and financial responsibility of regional school unit boards of directors for preserving the opportunities for choice of schools for students who reside in a municipality in a regional school unit that was a previous education unit that sent students to another school administrative unit. The bill provides that when one or more member municipalities continue to send students to a school outside of the new regional school unit, the regional school unit is responsible for the tuition expenses for the students who are educated outside of the regional school unit.

LD 1356 An Act To Improve the Ability of the Department of Education To Conduct Longitudinal Data Studies

PUBLIC 448

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM	S-301 S-345 DIAMOND

This bill requires the Department of Education to develop and maintain the Maine Statewide Longitudinal Data System. The purpose of this system is to improve the ability of the Department of Education to conduct longitudinal data studies by permitting the use of student social security numbers for the tracking of individual student enrollment history and achievement data over time. Data must be collected and used in compliance with the federal Family Educational Rights and Privacy Act of 1974.

Committee Amendment "A" (S-301)

This amendment replaces the bill. The amendment accomplishes the following.

1. It reallocates the provisions establishing the Maine Statewide Longitudinal Data System from the Maine Revised Statutes, Title 20-A, chapter 606-B to chapter 221, subchapter 1, which pertains to student records.
2. It provides that if the Commissioner of Education requires a school administrative unit to collect and report individual social security numbers, that the school administrative unit must notify parents in the annual notice required under the federal Family Educational Rights and Privacy Act of 1974, "FERPA," that the data is being collected and used for longitudinal data purposes and that the school administrative unit requests that the parent provides written consent to use the child's social security number for the collection of longitudinal data for the parent's child.
3. It provides that the parental notification must include an explanation of the parent's right that the child's social security number is not required as a condition of enrollment and that the child's social security number may not be used for longitudinal data purposes unless the parent provides prior written consent. It also provides that when a student attains 18 years of age, the written consent required of the parent, and the rights accorded to the parent, are thereafter required of and accorded to the student.