

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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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

purposes with oversight by the Commissioner of Education and will accept transfers of at-risk public school students. The center will be funded from the Department of Education's allocation for kindergarten to grade 12 education from General Fund revenue sources. The bill directs the Department of Education to arrange with the Good Will-Hinckley school to educate up to 80 students in the 2009-2010 school year and up to 150 students in the 2010-2011 school year.

Committee Amendment "A" (S-211)

This amendment strikes the language in the bill regarding funding and the timeline for implementing the establishment of the Center of Excellence for At-risk Students and inserts provisions directing the Commissioner of Education and the Chief Executive Officer of the Good Will-Hinckley school to jointly develop a plan for funding and a timeline for establishing an approved program for the center. The funding plan and proposed timeline for establishing the center must be transmitted to the Joint Standing Committee on Education and Cultural Affairs, which may introduce any necessary legislation to the Second Regular Session of the 124th Legislature to accomplish these plans. The amendment also provides that rules established for the center are major substantive rules.

Enacted Law Summary

Public Law 2009, chapter 296 establishes the Center of Excellence for At-risk Students to provide a comprehensive, on-site course of instruction for youth at risk of failing or dropping out of school. The center must include a high-quality education, training for parents and public school teachers and research involving education for at-risk youth. The center may be administered by a private, nonprofit charitable corporation organized for educational purposes with oversight by the Commissioner of Education and will accept transfers of at-risk public school students.

The law also directs the Commissioner of Education and the Chief Executive Officer of the Good Will-Hinckley school to jointly develop a plan for funding and a timeline for establishing an approved program for the center. The funding plan and proposed timeline for establishing the center must be transmitted to the Joint Standing Committee on Education and Cultural Affairs, which may introduce any necessary legislation to the Second Regular Session of the 124th Legislature to accomplish these plans.

Public Law 2009, chapter 296 was enacted as an emergency measure effective June 8, 2009.

LD 1446 An Act To Create the Maine Online Learning Program

**PUBLIC 330
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-273

This bill directs the Department of Education to establish the Maine Online Learning Program, which will provide high-quality educational options for kindergarten to grade 12 students using online learning programs and courses, beginning in the 2009-2010 school year.

Committee Amendment "A" (S-273)

This amendment replaces the bill and directs the Department of Education to establish the Maine Online Learning Program, which will provide high-quality educational options for kindergarten to grade 12 students using online learning programs and courses, beginning no later than June 30, 2010. The amendment accomplishes the following.

1. It clarifies the funding provisions of the bill, including removing the provision directing the Department of Education to establish a master contract agreement with approved online learning providers and requiring local

Joint Standing Committee on Education and Cultural Affairs

school administrative units to enter into cooperative agreements based on the master contract agreement.

2. It requires that all teachers who are employed by the online learning provider and who provide instruction to students must hold a valid teaching certificate in each content area being taught or they must receive approval from the Commissioner of Education to teach in the online learning program.
3. It allows school administrative units to develop agreements to access online learning programs or courses offered by other school administrative units.
4. It requires that the Department of Education consider the accessibility of online programs and materials for individuals with disabilities as part of the department's review of online learning initiatives in other states and jurisdictions.
5. It provides that the online learning program must comply with the State's government information technology accessibility policies and standards.

Enacted Law Summary

Public Law 2009, chapter 330 directs the Department of Education to establish the Maine Online Learning Program, which will provide high-quality educational options for kindergarten to grade 12 students using online learning programs and courses, beginning in the 2009-2010 school year. The law accomplishes the following.

1. It directs the department, in consultation with the State Board of Education, to develop approval criteria and a process for approving online learning providers to implement online learning programs and courses.
2. It provides that, no later than June 30, 2010, the department shall provide school administrative units with a list of providers approved to offer full-time and part-time online learning programs and courses available for kindergarten to grade 12 students in the State.
3. It requires that all teachers who are employed by the online learning provider and who provide instruction to students must hold a valid teaching certificate in each content area being taught or they must receive approval from the Commissioner of Education to teach in the online learning program.
4. It allows school administrative units to develop agreements to access online learning programs or courses offered by other school administrative units.
5. It provides that the online learning program must comply with the State's government information technology accessibility policies and standards.
6. It directs the department to review the online learning initiatives established in other states and jurisdictions, including the best practices established by these online learning initiatives. It provides that, no later than January 1, 2010, the Commissioner of Education shall submit to the Joint Standing Committee on Education and Cultural Affairs a report that contains findings, recommendations and any proposed legislation necessary to further implement online learning programs and courses. It also provides that, following receipt and review of the report, the Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 124th Legislature.

Public Law 2009, chapter 330 was enacted as an emergency measure effective June 9, 2009.