

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON EDUCATION AND  
CULTURAL AFFAIRS**

April 2010

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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  
SECOND 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 Second 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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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 1564

## An Act To Update the Laws Concerning the Maine School of Science and Mathematics

PUBLIC 486

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUTHERLAND JACKSON	OTP-AM MAJ OTP MIN	H-605

This bill updates the laws concerning the Maine School of Science and Mathematics. It provides that students may use scholarship funds in place of payment for all or part of the cost of room and board and any other fees or expenses incurred as a result of their enrollment at the school. It allows postgraduate high school students to attend at full cost. It clarifies that private scholarship funds may not be used to offset state funds and creates a general purpose educational enhancement fund with the same provision. This bill makes necessary changes to reflect the newly created regional school unit. It provides that one of the three teacher members of the board of trustees is a full-time teacher and clarifies that both full-time and part-time faculty members may participate in the election of a faculty representative to the board of trustees. It also provides that the student member of the board of trustees is a nonvoting member. It strengthens the quorum requirement from members in attendance to one-third of all voting members. Finally, it removes references to high school sophomores, juniors and seniors in the laws governing admission to the school and provides that admittance of high school students must be based on criteria established by the board of trustees.

### Committee Amendment "A" (H-605)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes the proposal in the bill that designates the student member of the Board of Trustees of the Maine School of Science and Mathematics as a nonvoting member. The amendment clarifies that the student member is a voting member, except that the student member may not participate as a board member in executive sessions and may not vote in a public proceeding on any matter that was discussed or considered during an executive session. The amendment also amends the programs and operations provisions of the laws governing the Maine School of Science and Mathematics to include the admission of students pursuing a postgraduate high school year of education as part of the school admissions program.

### Enacted Law Summary

Public Law 2009, chapter 486 updates the laws concerning the Maine School of Science and Mathematics. The law accomplishes the following.

1. It provides that students may use scholarship funds in place of payment for all or part of the cost of room and board and any other fees or expenses incurred as a result of their enrollment at the school. It clarifies that private scholarship funds may not be used to offset state funds and creates a general purpose educational enhancement fund with the same provision.
2. It allows postgraduate high school students to attend at full cost and amends the programs and operations provisions of the laws governing the Maine School of Science and Mathematics to include the admission of students pursuing a postgraduate high school year of education as part of the school admissions program.
3. It provides that one of the three teacher members of the board of trustees is a full-time teacher and clarifies that both full-time and part-time faculty members may participate in the election of a faculty representative to the board of trustees.
4. It clarifies that the student member of the board of trustees is a voting member, except that the student member may not participate as a board member in executive sessions and may not vote in a public proceeding on any matter

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that was discussed or considered during an executive session.

5. It strengthens the quorum requirement for the board of trustees from members in attendance to one-third of all voting members.
6. It removes references to high school sophomores, juniors and seniors in the laws governing admission to the school and provides that admittance of high school students must be based on criteria established by the board of trustees.
7. Finally, it makes necessary changes to reflect the newly created regional school unit.

**LD 1613      An Act To Modernize the Laws Governing the State's Cultural Agencies**

**ONTP**

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

This bill provides for further implementation of recommendations contained in the State Controller's audit of the Maine State Library, the Maine Arts Commission, the Maine State Museum Commission and the Maine Historic Preservation Commission to provide greater accountability and transparency in the conduct of the work of those agencies. The bill directs the cultural agencies to recommend legislation to modernize the laws related to those agencies. The bill directs the joint standing committee of the Legislature having jurisdiction over education and cultural affairs to work with the agencies, the Department of Education and the Department of Administrative and Financial Services to determine whether to establish a new position of deputy commissioner for cultural affairs within the Department of Education and place the cultural agencies under the jurisdiction of that department. The bill also makes changes to the appointment process for certain members overseeing the agencies, specifies the terms for members of and permissible reappointments for certain commissions and strengthens public access to records of the commissions.

**LD 1654      An Act To Improve the Availability, Efficiency and Cost of Services for Infants, Young Children and Their Families**

**LEAVE TO WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	LTW	

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to restructure the services available to infants and young children with developmental disabilities, including autism, and developmental delays. The restructured services would include supports for the families of these infants and young children. The bill would aim to improve informed choices for families and improve the coordination of services among numerous community agencies and state departments. The bill would provide a new, streamlined structure to improve identification of need and ease of accessing services and improve outcomes for infants and young children and their families and efficiency in the use of state funds.