

# MAINE STATE LEGISLATURE

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



Summaries of bills, adopted amendments and laws enacted or finally passed

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

May 2014

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*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; legislation died  
*DIED BETWEEN HOUSES* .....House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE* ..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT* ..... action incomplete when session ended; legislation died  
*EMERGENCY* .....enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*.....emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*.....legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*.....sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*.....ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX* ..... chapter # of enacted public Law  
*RESOLVE XXX* ..... chapter # of finally passed resolve  
*VETO SUSTAINED*.....Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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

Baxter School for the Deaf. Chapter 552 provides that, beginning with the 2015-2016 school year:

1. The school administrative unit in which a deaf or hard-of-hearing student resides is responsible for providing a free, appropriate public education to a student placed in a center school program or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf;
2. The individualized education program team for the school administrative unit in which a deaf or hard-of-hearing student resides is responsible for the placement decision of the student and, when the center school or one of the satellite school programs is being considered as a placement for the student, must invite a representative of the center school or the satellite school to attend the individualized education program team meeting at which this placement is being considered;
3. The Maine Educational Center for the Deaf and Hard of Hearing is responsible for the sums necessary to ensure that services required to meet the individualized education program are provided, including tuition, transportation services and other related services as defined by the Maine Revised Statutes, Title 20-A, section 7001, subsection 4-B, for each student placed in the center school or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; and
4. The school administrative unit in which a deaf or hard-of-hearing student resides is responsible for the costs of providing only those related services as defined by Title 20-A, section 7001, subsection 4-B that are not specified in the list of related services that must be provided by the Maine Educational Center for the Deaf and Hard of Hearing for students attending the center school program or one of the satellite school programs beginning in the 2015-2016 school year.

**LD 1774**

**Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education**

**RESOLVE 101  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-688

This resolve provides for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a major substantive rule of the Department of Education that was filed outside the legislative rule acceptance period.

**Committee Amendment "A" (H-688)**

This amendment provides that final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a major substantive rule of the Department of Education that was filed outside the legislative rule acceptance period, is authorized contingent upon the State Board of Education making a specific change to the proposed rule.

**Enacted Law Summary**

Resolve 2013, chapter 101 provides that final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a major substantive rule of the Department of Education is authorized contingent upon the State Board of Education making a specific change to the proposed rule.

Resolve 2013, chapter 101 was finally passed as an emergency measure effective April 3, 2014.