

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th Maine Legislature.

The *Digest* is arranged alphabetically by committee and 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. 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 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 First Regular Session of the 126th Legislature is October 9, 2013. 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

Committee Amendment "A" (H-311)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, incorporates a fiscal note.

Senate Amendment "A" To Committee Amendment "A" (S-365)

This amendment adds a mandate preamble.

LD 1505 An Act Regarding Insured Value Factor Payments for Public Tuition PUBLIC 418
Students Attending a Private School

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO	OTP-AM	S-293

This bill increases the insured value factor portion of the tuition rate that a private school may charge for public tuition students to 6% of the tuition rate in school year 2013-2014, to 8% of the tuition rate in school year 2014-2015 and to 10% of the tuition rate beginning in school year 2015-2016, which was the rate permitted prior to school year 2008-2009.

Committee Amendment "A" (S-293)

This amendment strikes and replaces the bill to increase the insured value factor portion of the tuition rate that a private school may charge for public tuition students to 6% of the tuition rate in school year 2014-2015. The amendment provides that, in subsequent school years, the insured value factor payment will be adjusted by a percentage equal to the change in the State's share of the total cost of funding education, but may not be less than 6% and not more than 10% of the tuition rate, unless the school administrative unit votes to pay an insured value factor that exceeds the amount permitted by no more than 5% of the private school's tuition rate.

Enacted Law Summary

Public Law 2013, chapter 418 increases the insured value factor portion of the tuition rate that a private school may charge for public tuition students to 6% of the tuition rate in school year 2014-2015. The law provides that, in subsequent school years, the insured value factor payment will be adjusted by a percentage equal to the change in the State's share of the total cost of funding education, but may not be less than 6% and not more than 10% of the tuition rate, unless the school administrative unit votes to pay an insured value factor that exceeds the amount permitted by no more than 5% of the private school's tuition rate.

LD 1510 An Act To Ensure Statewide School Accountability and Improvement ACCEPTED MAJORITY (ONTP) REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON P LANGLEY	ONTP OTP-AM	

Under current federal law, a struggling school is only identified and given help to improve if the school is funded under Title I of the federal No Child Left Behind Act of 2001. This bill creates a process for the Commissioner of Education to hold all schools accountable for student achievement and to work with schools to improve, regardless of whether they are so-called Title I schools.

Joint Standing Committee on Education and Cultural Affairs

The bill creates a statewide school accountability system by strengthening the existing school approval law. Under existing law, the commissioner is authorized to determine whether schools meet basic school approval standards, including the standard requiring all units to prepare and implement a comprehensive education plan aligned with the system of learning results, focused on the learning of all students and oriented to continuous improvement. This bill requires a school administrative unit that is identified as needing assistance to create a school improvement plan to correct any aspects of the school that do not comply with school approval standards in statute and rule. The bill sets forth specific strategies that may be included in a school improvement plan and calls for additional strategies if the school fails to improve after 2 years. It also provides school choice for students whose school loses basic school approval.

Committee Amendment "A" (H-558)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, amends the bill to make the following changes.

1. It removes the provisions that provide school choice for students whose school loses basic school approval.
2. It inserts a reference in the school assistance provisions amended by the bill to the provision that authorizes the Commissioner of Education to develop major substantive rules to implement the purposes of the laws regarding standards and assessment of student performance in the Maine Revised Statutes, Title 20-A, chapter 222.
3. It provides that a school administrative unit may file an appeal to the State Board of Education of a decision by the Department of Education to withdraw basic school approval due to the failure of the school administrative unit to participate in the development or implementation of a school improvement plan.

LD 1522 An Act To Protect Children from Exposure on the Internet without Parental Consent

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU C	ONTP OTP-AM	

This bill expands the restrictions on information regarding students that may be published by a public school on the Internet to include video and other images from which a student can be identified. The bill also extends the Internet restrictions that apply to public schools to apply to after-school programs, programs provided to students pursuant to an agreement with a public school and child care facilities.

Committee Amendment "A" (H-455)

This amendment, which is the minority report for the Joint Standing Committee on Education and Cultural Affairs, amends the bill to remove videos of students from the images from which a student can be identified that a public school is restricted from publishing on the Internet without first obtaining written parental consent to provide the image.

LD 1524 An Act To Address the Burden Placed on Students as a Result of Requirements To Take Remedial Courses

ONTP

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