

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> 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

126<sup>TH</sup> 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 126<sup>th</sup> 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 126<sup>th</sup> 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***

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	

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

Under current law, the University of Maine System, the Maine Community College System and the Maine Maritime Academy are required to report on the number of remedial courses taken by students from each school administrative unit in the subjects of English language arts and mathematics. This bill requires those institutions to report the cost to the students of those remedial courses, by school administrative unit, and requires the Commissioner of Education to reduce state subsidy to the school administrative units and to pay those funds to the higher education institution. Those higher education institutions are required to use the funds to reduce or eliminate the cost of remedial courses to their students and to report to the Commissioner of Education and the Legislature how those funds were used to achieve the reduction or elimination of costs.

**LD 1526      An Act To Include Debt Service for Local School Construction Projects      ONTP**  
**in the Required Local Share of Education Funding**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N KATZ	ONTP	

This bill includes in debt services for purposes of the school funding formula locally funded major capital projects for school construction that are not approved by the State Board of Education.

**LD 1529      An Act To Expand School Choice for Maine Students      ACCEPTED  
 MAJORITY  
 (ONTP) REPORT**

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

This bill expands the publicly funded educational choices available to Maine students in several ways. It allows colleges and universities to authorize public charter schools and removes the 10-school limit on public charter schools authorized by the Maine Charter School Commission. The bill also allows private sectarian schools to receive public funds as long as they comply with standards applicable to other private schools.

The bill allows funding to be used to enable economically disadvantaged students to take advantage of school choice options available under current law. The funds may be used to pay for transportation and tuition for students who transfer to other public or private schools and to pay for room and board costs of a student attending a public charter school that is beyond a reasonable commuting distance from the student's home. Currently, this funding may be used only for students enrolled in the Maine Academy of Natural Sciences, which is designated as the State's Center of Excellence for At-risk Students.

**Committee Amendment "A" (S-313)**

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

**LD 1530      An Act To Establish a Process for the Implementation of Universal      CARRIED OVER**  
**Voluntary Prekindergarten Education**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL BERRY		