

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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PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST
JON CLARK, DEPUTY DIRECTOR
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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126TH LEGISLATURE

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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 "B" (H-506)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, adds an emergency preamble and clause to the bill and removes the provision in the bill that would have provided that the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance may not be included in the calculation of the state share percentage of the total cost of funding public education from kindergarten to grade 12 as required by the Essential Programs and Services Funding Act. The amendment clarifies that the state contributions to teacher retirement reflect the state contributions to the employer retirement costs that are applicable to the normal cost of teacher retirement. The amendment also provides that the state share percentage target for fiscal year 2013-14 and succeeding years is 55%. This amendment adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 34

An Act To Implement the Recommendations of the Government Oversight Committee and the Office of Program Evaluation and Government Accountability Regarding Child Development Services

PUBLIC 338

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-380 S-238 MILLETT

This bill implements recommendations of the Government Oversight Committee stemming from the report on child development services issued by the Office of Program Evaluation and Government Accountability in July 2012. The purpose of this bill is to require improved reporting to the Legislature on key financial and performance aspects of the Child Development Services System and the programs it administers, in order to enhance transparency, accountability and legislative oversight. The system is an entity established in statute with responsibility for administering federal programs for eligible children from birth to under 6 years of age under the federal Individuals with Disabilities Education Act. The system and its programs receive some federal funding but are primarily supported by the General Fund.

Committee Amendment "A" (H-380)

This amendment makes the following changes to the bill.

1. It provides that the annual report on the performance of the Child Development Services System within the Department of Education submitted to the Legislature by the director of early childhood special education must also be submitted to the joint standing committee of the Legislature having jurisdiction over health and human services matters.
2. It provides that the following data for eligible children who received services must be included in the annual report on the performance of the Child Development Services System submitted to the Legislature:
 - A. The number of children who received direct services in the prior year who were born in Maine and the number of children who received direct services in the prior year who were born in Maine and who were delivered at home;
 - B. The total number of children who were referred in the prior year for support outside of the Child Development Services System and the number of children who received direct services in the prior year who were referred for support outside of the Child Development Services System; and

Joint Standing Committee on Education and Cultural Affairs

C. The number of children who received direct services in the prior year who received all of the services in their individualized family service plan or individualized education program and the number of children who received direct services in the prior year who received less than 90% of the services in their individualized family service plan or individualized education program.

3. It provides that the statistics and analysis on the performance of the Child Development Services System submitted to the Legislature must also include the average age, both in aggregate and by primary disability type, at which children who were born in Maine began receiving services from the Child Development Services System and the average age, both in aggregate and by primary disability type, at which children who were born in Maine and who were delivered at home began receiving services from the Child Development Services System.

4. It provides that the annual report on the performance of the Child Development Services System submitted to the Legislature must also include a report by each regional site that demonstrates the trends of the Child Development Services System employee costs and the results of efforts undertaken by the Child Development Services System to coordinate with other entities and maximize the use of a broad base of community resources, including private providers and public schools, midwives, resources from other agencies and other resources serving families and children from birth to under 6 years of age.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-238)

This amendment delays until January 1, 2015 when certain information must be included in the report on the performance of the Child Development Services System submitted to the Legislature. The amendment also removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 338 implements recommendations of the Government Oversight Committee stemming from the report on child development services issued by the Office of Program Evaluation and Government Accountability in July 2012. The law requires improved reporting to the Legislature on key financial and performance aspects of the Child Development Services System and the programs it administers, in order to enhance transparency, accountability and legislative oversight. The law provides that the director of early childhood special education must provide an annual report on the performance of the Child Development Services System to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs, appropriations and financial affairs, and health and human services matters.

LD 56 An Act To Ensure Equity in School Costs Borne by Municipalities ONTP
within Consolidated School Units

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the funding distribution method required under the Essential Programs and Services Funding Act to ensure parity and taxpayer equity among towns that are members of consolidated school units.