

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

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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

LD 61 An Act To Amend Standards for Participation in Certain Public School Services by Students Who Are Homeschooled PUBLIC 400

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING BURNS	OTP-AM	H-30

This bill provides that a student receiving homeschool instruction is eligible for a state tuition subsidy for certain postsecondary courses as long as the criteria for participation are met. The bill also provides that a student receiving homeschool instruction is eligible for special education services in the same manner that students enrolled in a private school are eligible for these services.

Committee Amendment "A" (H-30)

This amendment strikes the mandate preamble and the provision in the bill that requires that a school administrative unit provide the same special education services to a student receiving home instruction as are provided to a student enrolled in private school.

Enacted Law Summary

Public Law 2013, chapter 400 provides that a student receiving homeschool instruction is eligible for a state tuition subsidy for certain postsecondary courses as long as the criteria for participation are met.

LD 91 An Act To Raise the School Construction Bond Cap PUBLIC 44

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON A GOODALL	OTP-AM	H-5

This bill increases the major capital maximum debt service limit for school construction projects for fiscal years 2013-14 and 2014-15 to \$126,000,000.

Committee Amendment "A" (H-5)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 44 increases the major capital maximum debt service limit for school construction projects for fiscal years 2013-14 and 2014-15 to \$126,000,000.

LD 92 An Act Relating to Private School Student Participation in Public School Cocurricular, Interscholastic and Extracurricular Activities PUBLIC 428

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER MASON G	OTP-AM	H-53 S-332 HILL

This bill changes the standards for making public school resources and services available to students enrolled in certain equivalent instruction programs by eliminating the requirement that resources and services be made available to students in a private school recognized by the Department of Education as providing equivalent

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instruction and by limiting the ability of the public school principal or the principal's designee to deny participation to situations where the school cannot reasonably accommodate the student's participation.

Committee Amendment "A" (H-53)

This amendment strikes and replaces the bill. The amendment limits public school resources and services available to students enrolled in private schools to only those students enrolled in certain private schools recognized by the Department of Education as providing equivalent instruction.

The amendment provides that the principal of a public school may deny the request of a student enrolled in an equivalent instruction program to participate in a cocurricular, extracurricular or interscholastic activity only if the school does not have the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the principal, the principal must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision.

The amendment provides that a student enrolled in an equivalent instruction program is not eligible to participate in a cocurricular, interscholastic or extracurricular activity at a public school if the private school the student attends already provides that same activity.

Senate Amendment "A" To Committee Amendment "A" (S-332)

This amendment adds a mandate preamble.

Enacted Law Summary

Public Law 2013, chapter 428 limits public school resources and services available to students enrolled in private schools to only those students enrolled in certain private schools recognized by the Department of Education as providing equivalent instruction. The law provides that the principal of a public school may deny the request of a student enrolled in an equivalent instruction program to participate in a cocurricular, extracurricular or interscholastic activity only if the school does not have the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the principal, the principal must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision. The law also provides that a student enrolled in an equivalent instruction program is not eligible to participate in a cocurricular, interscholastic or extracurricular activity at a public school if the private school the student attends already provides that same activity.

LD 93 An Act To Require Public Secondary Schools To Offer a Course in Gun Safety and Handling ONTP

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

This bill requires public secondary schools to offer a firearm safety and handling course that is optional for students.

LD 112 An Act To Make Changes to the Educators for Maine Program PUBLIC 7

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NELSON CRAVEN	OTP	