

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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

**MEMBERS:**

SEN. REBECCA J. MILLETT, CHAIR  
SEN. CHRISTOPHER K. JOHNSON  
SEN. BRIAN D. LANGLEY

REP. W. BRUCE MACDONALD, CHAIR  
REP. MARY P. NELSON  
REP. HELEN RANKIN  
REP. MATTHEA DAUGHTRY  
REP. BRIAN L. HUBBELL  
REP. VICTORIA P. KORNFELD  
REP. PETER B. JOHNSON  
REP. JOYCE A. MAKER  
REP. MICHAEL D. MCCLELLAN  
REP. MATTHEW G. POULIOT  
REP. MADONNA M. SOCTOMAH

**STAFF:**

PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST  
KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

**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*

**LD 300**      **An Act To Protect School Administrative Units and Taxpayers**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK SHERMAN		

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill provides that an insurer providing health insurance covering employees of a school administrative unit is not required to provide loss information concerning those employees if requested by the school administrative unit.

**LD 783**      **An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit**

**PUBLIC 461  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY BURNS	OTP-AM	H-611

This bill was carried over from the First Regular Session of the 126th Legislature.

Under current law, until January 1, 2015, a municipality that wishes to withdraw from a regional school unit must approve that withdrawal by a majority vote, with the total number of votes cast at least equal to 50% of the total number of votes cast in that municipality for Governor in the last gubernatorial election. If the municipality is part of a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws, a 2/3 approval is needed. Beginning January 1, 2015, any withdrawal must be approved by 2/3 of the voters, without any requirement regarding the total number of votes cast.

This bill allows a municipality to withdraw from a regional school unit by a majority vote and eliminates the requirement regarding the total number of votes cast.

This bill requires that a facilitator to oversee negotiations be appointed if, after 90 days of its formation, the withdrawal committee that is selected by the municipality seeking to withdraw from the regional school unit fails to reach an agreement with the regional school unit.

**Committee Amendment "B" (H-611)**

The bill proposes changes to the laws regarding voting requirements for the withdrawal of a municipality from a regional school unit and the withdrawal of a member municipality from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws. This amendment changes the bill to remove its time limits for negotiations between the withdrawal committee and the regional school unit. The amendment retains the provisions in the bill striking the provisions in current law that repeal the existing voting requirements on January 1, 2015 and that provide that a 2/3 majority of the voters voting on a withdrawal agreement is required for the withdrawal of a municipality from a regional school unit and retains the provision in the bill changing the percentage of votes required when determining whether a municipality may petition to withdraw within two years of the vote on a previous withdrawal agreement that was not approved by the voters, but changes the bill's 50% of votes cast to 45%.

The bill proposes to eliminate the provisions of current law that require that the total number of votes cast for and