

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

LD 300 An Act To Protect School Administrative Units and Taxpayers

CARRIED OVER

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

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.

This bill was 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 301 An Act To Remove Unnecessary Agenda from the School Day

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. It proposes to require a review by the Commissioner of Education of items required by law or policy to be taught or recognized in the public schools in kindergarten to grade 12 that are in addition to the curriculum implementing the statewide system of learning results under the Maine Revised Statutes, Title 20-A, section 6209. The review must be conducted in consultation with representatives of school superintendents, teachers and parents. The review must categorize the additional items required to be taught or recognized, identify items that may have become obsolete or duplicative and recommend the most efficient and effective way to teach or recognize the required items without interfering with the time needed during the school day to provide effective teaching of knowledge required under the system of learning results. The commissioner would be authorized to report the results of the review to the joint standing committee of the Legislature having jurisdiction over education matters, which would be authorized to report out a bill, if necessary.

LD 322 Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education

**RESOLVE 34
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-165

This resolve provides for legislative review of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a major substantive rule of the State Board of Education.

Committee Amendment "A" (H-165)

This amendment provides that final adoption of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education, is authorized contingent upon the State Board of Education making specified changes to the proposed rule.

Enacted Law Summary

Joint Standing Committee on Education and Cultural Affairs

Resolve 2013, chapter 34 provides that final adoption of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education, is authorized contingent upon the State Board of Education making specified changes to the proposed rule.

Resolve 2013, chapter 34 was finally passed as an emergency measure effective June 3, 2013.

**LD 323 Resolve, Regarding Legislative Review of Portions of Chapter 101:
Maine Unified Special Education Regulation Birth to Age Twenty, a
Major Substantive Rule of the Department of Education**

**RESOLVE 52
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-191 S-111 MILLETT

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a major substantive rule of the Department of Education.

Committee Amendment "A" (H-191)

This amendment provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

Senate Amendment "A" To Committee Amendment "A" (S-111)

This amendment is a technical correction to Committee Amendment "A." It clarifies that the rule must be amended by deleting Part 4, "Criteria for Change in Eligibility," which exceeds federal requirements concerning necessary evaluation procedures.

Enacted Law Summary

Resolve 2013, chapter 52 provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

Resolve 2013, chapter 52 was finally passed as an emergency measure effective June 13, 2013.

LD 351 An Act To Authorize the Provision of Insurance on Student Loans

**PUBLIC 34
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN FREDETTE	OTP-AM	S-8

This bill modifies the Finance Authority of Maine's Higher Education Loan Program to specify that the Finance Authority of Maine may provide loan insurance on supplemental student loans and renames it the Higher Education Loan and Loan Insurance Program.

Committee Amendment "A" (S-8)

This amendment makes the following changes to the bill:

1. It requires students receiving loans from or loans insured by the Finance Authority of Maine under the Higher Education Loan and Loan Insurance Program to make satisfactory academic progress in accordance with the