

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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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

Public Law 2013, chapter 166 requires the Board of Trustees of the University of Maine System, the Board of Trustees of the Maine Community College System and the Board of Trustees of the Maine Maritime Academy to each submit annually to the joint standing committee of the Legislature having jurisdiction over education matters a report that includes data regarding enrollment of first-generation college students and educational outcomes, including graduation rates for first-generation college students compared with other students; a summary of strategies used and activities undertaken to increase enrollment and graduation rates of first-generation college students; and plans or recommendations for new strategies or activities designed to increase enrollment and graduation rates of first-generation college students. The committee is authorized to submit legislation relating to the subject matter of the report.

LD 439 An Act To Improve Maine's Charter School Laws

PUBLIC 272

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G JOHNSON P	OTP-AM	S-127

This bill makes changes to the public charter school approval and funding processes. It provides that the 90-day deadline for an authorizer to make decisions on public charter school applications runs from the deadline for submission of all applications, not from the date that each application is submitted. It requires an authorizer to make its expectations of the applicant clear when requesting resubmission of an application. It allows the public charter school application to be incorporated by reference into the charter contract.

With regard to funding of public charter schools, the bill changes the manner of adjusting payments from noncharter public schools to public charter schools when students move into or out of public charter schools after the beginning of the school year. Under current law, only the last payment from the noncharter public school in June is adjusted. This bill requires adjustment of the March and June payments to avoid potential overpayments to a public charter school when students leave the public charter school in the first half of the school year.

Committee Amendment "A" (S-127)

This amendment strikes the change to the public charter school approval provision in the bill that requires an authorizer to make the authorizer's expectations of the applicant clear when requesting resubmission of an application and removes the provision in current law that allows an authorizer to request resubmission of an application.

Enacted Law Summary

Public Law 2013, chapter 272 makes changes to the public charter school approval and funding processes. It provides that the 90-day deadline for an authorizer to make decisions on public charter school applications runs from the deadline for submission of all applications, not from the date that each application is submitted. It allows the public charter school application to be incorporated by reference into the charter contract. With regard to funding of public charter schools, the law changes the manner of adjusting payments from noncharter public schools to public charter schools when students move into or out of public charter schools after the beginning of the school year.

LD 442 Resolve, To Ensure the Continued Accessibility and Affordability of a High School Equivalency Exam for Maine Residents

RESOLVE 49

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY GIFFORD	OTP-AM	S-172

Joint Standing Committee on Education and Cultural Affairs

This resolve requires the Department of Education to examine the options for the administration of a high school equivalency examination and to develop a plan for the continued availability of a high school equivalency examination. The department shall submit its report and plan to the Joint Standing Committee on Education and Cultural Affairs by April 1, 2013.

Committee Amendment "A" (S-172)

This amendment strikes the emergency preamble and the emergency clause from the resolve and amends the resolve to provide that the review conducted by the Department of Education on the options for the administration of a high school equivalency examination must include an analysis of the implementation costs that would be required to transition to a computer-based high school equivalency examination. The amendment also requires that the department's plan for the continued availability of a high school equivalency examination must also address the continued state funding support and technical assistance necessary to transition to a computer-based high school equivalency examination. The amendment changes the reporting date to October 1, 2013.

Enacted Law Summary

Resolve 2013, chapter 49 requires the Department of Education to examine the options for the administration of a high school equivalency examination and to develop a plan for the continued availability of a high school equivalency examination. The review conducted by the department must include an analysis of the implementation costs that would be required to transition to a computer-based high school equivalency examination. The department's plan for the continued availability of a high school equivalency examination must also address the continued state funding support and technical assistance necessary to transition to a computer-based high school equivalency examination. The department shall submit its report and plan to the Joint Standing Committee on Education and Cultural Affairs by October 1, 2013.

LD 462 An Act To Dedicate Funds for Emergency Back-up Power for Schools ONTP

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

This bill provides that if a school administrative unit participates in the Percent for Art Program it must use at least 1/2 of the amount identified for this purpose to provide back-up electrical power to the school, building or facility being constructed.

LD 464 An Act To Change Compensation for Career and Technical Education CARRIED OVER
Region Cooperative Board Meeting Attendance

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

This bill increases the compensation for a career and technical education region cooperative board member from \$10 to \$20 for each meeting the member attends.

Committee Amendment "A" (H-279)

This amendment incorporates a fiscal note.

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