

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.

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LD 531 An Act To Allow Students To Audit Classes at University of Maine System Campuses

ONTP

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

This bill requires the University of Maine System to permit students to audit a class if space is available in the class. The university is required to charge a fee from \$50 to \$250 for auditing a class, and the student must pay the cost of materials and related fees for the class. An auditing student does not receive credit or grades for the class.

The committee sent a letter to the University of Maine System requesting that it seek to further expend its auditing programs to address the overall purposes of this bill; the letter requests a report to the committee in the Second Regular Session on actions taken by the university.

LD 532 An Act To Amend the Laws Governing the Maine State Library

PUBLIC 82

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU C LACHOWICZ	OTP-AM	H-73

This bill updates and modifies laws governing the Maine State Library.

1. It updates language regarding library hours and the taking of books.
2. It slightly modifies language regarding the relationship between the Department of Education's school library media section and the State Librarian: current law indicates that the department maintains the media section in cooperation with the State Librarian; the bill provides that the Librarian shall assist the media section in carrying on its activities.
3. It removes maintaining and providing a video tape library from the list of activities that the Department of Education must perform in its school library media section and adds to the list maintaining and providing an electronic library service and database library.
4. It repeals the provision of law that authorizes the State Librarian to provide bookmobile service.
5. It updates a provision of law relating to the State Librarian to make it gender neutral.
6. It decreases the amount of town histories or other books concerning the history of the State that the State Librarian must purchase from 25 copies to 2 copies. It also repeals the provision that requires the State Librarian to distribute the histories to school, state, institutional and public libraries, and it repeals the provision that allows the State Librarian to sell any surplus of the histories.
7. It repeals the provision of law that requires the State Librarian to make a gift of money or provide books to a municipality that is establishing a free library.
8. It provides that the State Librarian, rather than the Commissioner of the Department of Education, may designate research centers.

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9. It removes a provision requiring the Commissioner of the Department of Education to establish policies governing regional library district consultants

10. It authorizes the State Librarian, rather than the Maine Library Commission, to apportion funds for support of regional library system.

11. It modifies the provision of law governing the confidentiality of public library records (identity of patron relative to use of library materials) to include all state and local public libraries; current law limits application to local public libraries to public municipal libraries (about half of local public libraries are not "municipal").

Committee Amendment "A" (H-73)

This amendment removes the section of the bill that modifies the relationship between the Maine State Library and the Department of Education with respect to the school library media section.

This amendment also adds a definition to the confidentiality section of law amended by the bill. The section governs the confidentiality of public library records that identify patrons relative to use of library materials; current law provides confidentiality for local public municipal libraries. The bill removes "municipal" so that all local public libraries are included. The amendment defines "public library" by reference to the definition of that term in the chapter of law governing the regional library system; the definition encompasses any library freely open to the public that serves the needs of all the residents of the area for which its governing body is responsible.

Enacted Law Summary

Public Law, chapter 82 updates and modifies laws governing the Maine State Library.

1. It updates language regarding library hours and the taking of books.
2. It removes maintaining and providing a video tape library from the list of activities that the Department of Education must perform in its school library media section and adds to the list maintaining and providing an electronic library service and database library.
3. It repeals the provision of law that authorizes the State Librarian to provide bookmobile service.
4. It updates a provision of law relating to the State Librarian to make it gender neutral.
5. It decreases the amount of town histories or other books concerning the history of the State that the State Librarian must purchase from 25 copies to 2 copies. It also repeals the provision that requires the State Librarian to distribute the histories to school, state, institutional and public libraries, and it repeals the provision that allows the State Librarian to sell any surplus of the histories.
6. It repeals the provision of law that requires the State Librarian to make a gift of money or provide books to a municipality that is establishing a free library.
7. It provides that the State Librarian, rather than the Commissioner of the Department of Education, may designate research centers.
8. It removes a provision requiring the Commissioner of the Department of Education to establish policies governing regional library district consultants
9. It authorizes the State Librarian, rather than the Maine Library Commission, to apportion funds for support of regional library system.
10. It modifies the provision of law governing the confidentiality of public library records (identity of patron

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relative to use of library materials) to include all state and local public libraries; current law limits application to local public libraries to public municipal libraries (about half of local public libraries are not "municipal"). It defines "public library" by reference to the definition of that term in the chapter of law governing the regional library system; the definition encompasses any library freely open to the public that serves the needs of all the residents of the area for which its governing body is responsible.

LD 533 An Act To Eliminate the Requirement That Local Funding Follow a Pupil to a Charter School ONTP

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

This bill eliminates the requirement that a school administrative unit's local contribution to the per-pupil allocation follow a student to a public charter school and instead requires only that the State's contribution to the per-pupil allocation follow the student to a public charter school but allows the local contribution to follow a student attending a public charter school established solely to address the needs of at-risk pupils as defined in the Maine Revised Statutes, Title 20-A, section 2401. The bill also limits to 20% the State's contribution to the per-pupil allocation that follows a student to a virtual public charter school, except when the virtual public charter school is established solely to address the needs of at-risk pupils.

LD 595 An Act To Exempt School Administrative Units That Do Not Directly Serve Children with Disabilities from Certain Reporting Requirements ONTP

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

This bill provides that the Commissioner of Education may not require a school administrative unit to file reports regarding special education if the unit does not operate schools or if special education services for the unit's children with disabilities are provided by another school administrative unit that includes those children in its reports.

LD 609 An Act To Increase Suicide Awareness and Prevention in Maine Public Schools PUBLIC 53

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILBERT MILLETT	OTP-AM	H-86

This bill requires the Department of Education to adopt rules on standards for schools and school administrative units for suicide prevention education and training. The training and education will include suicide prevention awareness education for all personnel and more advanced suicide prevention and intervention training for at least 2 persons per school district.

Committee Amendment "A" (H-86)

This amendment strikes and replaces the bill. It adds a mandate preamble and provides that all of the requirements proposed in the bill for suicide prevention awareness education and suicide prevention and intervention training for school personnel are included in the Maine Revised Statutes, Title 20-A, section 4502. The amendment also provides that rules adopted by the Department of Education on standards for suicide awareness education and suicide prevention and intervention training for school personnel are routine technical rules, but that, beginning July 1, 2014, any subsequent changes to rules are major substantive rules.