

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> 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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**STAFF:**

PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST  
JON CLARK, DEPUTY DIRECTOR  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

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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 126<sup>th</sup> 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 126<sup>th</sup> 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

### Enacted Law Summary

Public Law 2013, chapter 53 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. The law also provides that rules adopted by the department 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.

**LD 615      An Act To Protect School Administrative Units from a Sudden Decrease      ONTP**  
**in Funding due to Reduced Enrollments**

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

This bill allows a school administrative unit to request reimbursement from the State when the unit has experienced a sudden and severe loss of funding due to the enrollment of students from that unit in public charter schools. The bill establishes criteria that a school administrative unit must meet to qualify for reimbursement. It also establishes a process by which school administrative units may petition the Commissioner of Education for reimbursement of a portion of the lost funds. The bill also establishes a reimbursement formula that the commissioner must use to calculate reimbursement amounts for qualifying school administrative units.

**LD 623      An Act To Promote the Attainment of Higher Education Degrees      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to adjust the disbursement of financial aid packages to provide an incentive for a student enrolled in a postsecondary institution to complete that student's degree. Instead of providing the total amount of financial aid up front, leading to the exhaustion of available aid prior to the completion of course work, this bill would spread the financial aid out over the course of a student's enrollment. The intent of the bill is to ensure that enough financial aid is available to allow a student who is within 15 credits of completing the necessary requirements for graduation to pay for those credits.

See Part J of Committee Amendment "A" to LD 90 for provisions related to the purposes of this bill.

**LD 638      An Act To Require That School Budget Referenda Be Held on the Same      ONTP**  
**Day as Primary Elections**

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

This bill requires a regional school unit board to hold a regional school unit budget meeting no later than 30 days

***Joint Standing Committee on Education and Cultural Affairs***

before the date of the statewide primary or referendum election in June or the 2nd Tuesday in June if a statewide primary or referendum election is not held in June that year and requires the budget validation referendum to be held on the same date as the statewide primary or referendum election in June or on the 2nd Tuesday in June if a statewide primary or referendum election is not held in June that year. The bill changes the provisions governing absentee ballots for a budget validation referendum.

**LD 665      An Act To Facilitate the Transition to a Standards-based Educational System      ONTP**

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

Current law provides that the date for implementation of awarding diplomas based on student demonstration of proficiency is extended one year for each year for which levels of general purpose aid for local schools falls below the levels provided in school year 2012-2013. This bill instead extends the implementation date one year for each year for which levels of general purpose aid for local schools falls below 55% of the total cost of funding public education from kindergarten to grade 12 pursuant to the Essential Programs and Services Funding Act.

**LD 666      Resolve, To Create a Working Group To Survey Maine Schools on the Costs and Benefits of Contracting for Energy Conservation Improvements      DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIFFORD THOMAS	OTP-AM	H-217

This bill requires approval in a local vote before a school administrative unit may spend any funds on a school construction project other than a small scale school construction project with a total cost of less than \$2,000,000.

**Committee Amendment "A" (H-217)**

This amendment strikes the bill and replaces it with a resolve that directs the Department of Education to convene a working group to study the opportunities and challenges presented to school administrative units with respect to implementing energy savings programs, including entering into agreements for energy conservation improvements, and to report to the Joint Standing Committee on Education and Cultural Affairs by January 10, 2014. The joint standing committee is authorized to submit a bill to the Second Regular Session of the 126th Legislature.

**LD 667      An Act To Increase Funding to Schools      PUBLIC 171**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER ALFOND	OTP ONTP	H-125    MAKER

This bill amends the law that provides for a proportional share reduction in the amount of local share revenues that municipalities must raise under the Essential Programs and Services Funding Act when the State does not fund the 55% state share required by law. The bill phases out the proportional share reduction over a 3-year period from fiscal year 2014-15 to fiscal year 2016-17.

**House Amendment "A" (H-125)**