

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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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

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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

LD 699 An Act To Allow Public Schools To Offer Classes Limited to Students of a Single Gender

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE BOLAND	ONTP OTP-AM	

This bill adds single-gender classes to the pathways that may be used to provide learning opportunities for elementary and secondary school students in the State. The bill also specifies policies that elementary and secondary schools must adopt before offering single-gender classes. It also provides a definition of "single-gender class" in the Maine Revised Statutes, Title 20-A.

Committee Amendment "A" (S-27)

This amendment is the minority report and replaces the bill. This amendment provides that the Maine Human Rights Act does not prohibit single-sex classes that are permitted under the United States Department of Education regulations, 34 Code of Federal Regulations, Section 106.34(b).

LD 709 An Act To Require Students To Receive Instruction in Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator prior to Graduation

ONTP

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

This bill requires that, as a condition of graduation from high school, beginning with the 2014-2015 school year, each student receive instruction and achieve proficiency in cardiopulmonary resuscitation and the use of an automated external defibrillator.

LD 715 An Act To Improve Access to Career and Technical Schools

CARRIED OVER

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

This bill provides for the reimbursement by the State of the actual transportation costs for career and technical education students who reside in a school administrative unit that is determined to be an isolated small unit pursuant to the provisions of the Essential Programs and Services Funding Act. Isolated small units must be reimbursed in the following fiscal year for the actual transportation costs for career and technical education students that are incurred in a fiscal year.

Committee Amendment "A" (H-223)

This amendment replaces the bill. The amendment provides that certain isolated small school administrative units are eligible for an adjustment under the school funding formula to reimburse the units for transportation costs expended for transporting students to and from a career and technical education center or a career and technical education region. To be eligible, a unit must receive the minimum state allocation based on the unit's special education costs. The reimbursement is based on actual net costs incurred during the base year under the funding

Joint Standing Committee on Education and Cultural Affairs

formula. The amendment includes an appropriations and allocations section.

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 H-C (H-582).

LD 723 An Act To Ensure the Proper Treatment of Bullying Situations in Schools ONTP

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

This bill modifies the law governing school policies on bullying to require that:

1. Policies governing written documentation be developed and established by each school board in consultation with teachers;
2. The policies include procedures for investigating and attempting to resolve an allegation of bullying involving a person without any prior history of bullying, under which the incident, if it can be informally and satisfactorily resolved among the affected individuals, does not require written documentation; and
3. Within 90 days after the effective date of this legislation, the Commissioner of Education modify the commissioner's model policy to address bullying and cyberbullying to make it consistent with the provisions of this legislation and provide the modified model policy to each school administrative unit in the State and post it on the publicly accessible portion of the Department of Education's website along with any training and instructional materials related to the policy that the commissioner determines necessary.

LD 729 An Act To Allow Charter Schools To Request Waivers from Certain Requirements PUBLIC 216

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G	OTP-AM	S-137

This bill allows, upon approval by the public charter school's authorizer, a public charter school to request from the Commissioner of Education a waiver of a civil rights or a health and safety requirement. The bill provides that the commissioner may take into consideration the financial hardship of the public charter school in carrying out the requirement in making a determination.

Committee Amendment "A" (S-137)

This amendment strikes and replaces the bill to clarify that the request from a public charter school for a waiver of one or more statutory requirements applicable to the public charter school may not include a request for a waiver of requirements established in the Maine Revised Statutes, Title 20-A, section 2412, subsection 5 related to civil rights and health and safety, student assessment and accountability, conflicts of interest and public records and proceedings, criminal history record checks and fingerprinting and special education.

Enacted Law Summary

Public Law 2013, chapter 216 allows, upon approval by the public charter school's authorizer, a public charter school to request from the Commissioner of Education a waiver of requirement established in state law, except that a public charter school may not include a request for a waiver of requirements established in the Maine Revised