

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

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

Joint Standing Committee on Education and Cultural Affairs

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.

LD 742 An Act To Amend the Regional School Unit Budget Validation Process ONTP

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

This bill amends the regional school unit budget validation process. Current law requires that, if the budget is not validated at the budget validation referendum, the process must be repeated until a budget is approved at a regional school unit budget meeting and validated at referendum and, if the budget is not approved and validated before July 1st of each year, then the latest budget approved at a regional school unit budget meeting and submitted to the voters for validation at a referendum in accordance with the Maine Revised Statutes, Title 20-A, section 1486 is automatically considered the budget for the ensuing year until a final budget is approved. This bill requires that, if the budget approved at the regional school unit budget meeting does not gain approval by voters at the budget validation referendum, the process must be repeated until a budget is validated at referendum, except that, when a regional school unit has conducted a minimum of 2 regional school unit budget meetings and 2 budget validation referenda prior to August 30th, the budget approved at the last regional school unit budget meeting becomes the budget for the fiscal year. If a regional school unit has not conducted 2 such cycles of budget meetings and referenda by August 30th, the regional school unit is required to conduct 2 complete budget approval cycles, if necessary, without a time limit, and, if the regional school unit conducts 2 full cycles of budget meetings and referenda and the budget is not validated at referendum, the budget approved at the last regional school unit budget meeting becomes the budget for the fiscal year.

LD 750 An Act To Make the Completion of an Internship a Requirement for High School Graduation ONTP

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

This bill requires completion of an internship for high school graduation.

LD 751 An Act To Limit the Effect of Standardized Tests on Teacher Evaluations ONTP

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

This bill provides that no more than 30% of an educator's total educator effectiveness rating may be based on the results of standardized tests.