

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION AND
CULTURAL AFFAIRS**

May 2014

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STATE OF MAINE
126TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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 300 An Act To Protect School Administrative Units and Taxpayers

**Leave to Withdraw
Pursuant to Joint
Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK SHERMAN		

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill provides that an insurer providing health insurance covering employees of a school administrative unit is not required to provide loss information concerning those employees if requested by the school administrative unit.

LD 783 An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit

**PUBLIC 461
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY BURNS	OTP-AM	H-611

This bill was carried over from the First Regular Session of the 126th Legislature.

Under current law, until January 1, 2015, a municipality that wishes to withdraw from a regional school unit must approve that withdrawal by a majority vote, with the total number of votes cast at least equal to 50% of the total number of votes cast in that municipality for Governor in the last gubernatorial election. If the municipality is part of a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws, a 2/3 approval is needed. Beginning January 1, 2015, any withdrawal must be approved by 2/3 of the voters, without any requirement regarding the total number of votes cast.

This bill allows a municipality to withdraw from a regional school unit by a majority vote and eliminates the requirement regarding the total number of votes cast.

This bill requires that a facilitator to oversee negotiations be appointed if, after 90 days of its formation, the withdrawal committee that is selected by the municipality seeking to withdraw from the regional school unit fails to reach an agreement with the regional school unit.

Committee Amendment "B" (H-611)

The bill proposes changes to the laws regarding voting requirements for the withdrawal of a municipality from a regional school unit and the withdrawal of a member municipality from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws. This amendment changes the bill to remove its time limits for negotiations between the withdrawal committee and the regional school unit. The amendment retains the provisions in the bill striking the provisions in current law that repeal the existing voting requirements on January 1, 2015 and that provide that a 2/3 majority of the voters voting on a withdrawal agreement is required for the withdrawal of a municipality from a regional school unit and retains the provision in the bill changing the percentage of votes required when determining whether a municipality may petition to withdraw within two years of the vote on a previous withdrawal agreement that was not approved by the voters, but changes the bill's 50% of votes cast to 45%.

The bill proposes to eliminate the provisions of current law that require that the total number of votes cast for and

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against withdrawal at the municipal vote must equal or exceed 50% of the total number of votes cast in the municipality for Governor at the last gubernatorial election. The amendment retains those provisions of current law.

The amendment also adds a distinct provision to the bill that restricts a withdrawal petition for a period of two years for a municipality that seeks to withdraw from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws if the municipal vote on a petition for withdrawal received less than 45% of the votes cast or if the withdrawal agreement received less than 60% of the votes cast during the municipal vote.

Enacted Law Summary

Public Law 2013, chapter 461 amends the laws regarding voting requirements for the withdrawal of a municipality from a regional school unit and the withdrawal of a member municipality from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws. Under current law, until January 1, 2015, a municipality that wishes to withdraw from a regional school unit must approve that withdrawal by a majority vote, with the total number of votes cast at least equal to 50% of the total number of votes cast in that municipality for Governor in the last gubernatorial election. If the municipality is part of a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws, a 2/3 approval is needed. Beginning January 1, 2015, any withdrawal must be approved by 2/3 of the voters, without any requirement regarding the total number of votes cast.

Chapter 461 changes the laws governing the voting requirements for the withdrawal of a municipality from a regional school unit as follows.

1. It strikes the provisions in current law that repeal the existing voting requirements on January 1, 2015, including the stipulations that provide that a 2/3 majority of the voters voting on a withdrawal agreement is required for the withdrawal of a municipality from a regional school unit and for the withdrawal of a member municipality from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws.
2. It amends the provision in current law regarding the percentage of votes required when determining whether a municipality may petition to withdraw from a regional school unit within two years of the vote on a previous withdrawal agreement that was not approved by the voters to provide that the percentage of votes required for this restriction is reduced from less than 60% of votes cast to less than 45% of votes cast during the municipal vote on the withdrawal agreement.
3. It also adds a distinct provision to the law that restricts a withdrawal petition for a period of two years for a municipality that seeks to withdraw from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws if the municipal vote on a petition for withdrawal received less than 45% of the votes cast or if the withdrawal agreement received less than 60% of the votes cast during the municipal vote.

Public Law 2013, chapter 461 was enacted as an emergency measure effective March 3, 2014.

LD 963 An Act To Expand Access to Early Postsecondary Education

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NELSON LANGLEY	OTP-AM	H-545 S-328 GOODALL