

# 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

126<sup>TH</sup> 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 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*

**LD 906**

### **An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities**

**CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MOONEN<br>MILLETT | OTP-AM                  |                           |

This bill allows a public charter school, at the discretion of the superintendent of the school administrative unit, to participate in school administrative unit-sponsored interscholastic and other activities and, at the discretion of the superintendent, a student of the public charter school to participate in a school's extracurricular activities.

#### **Committee Amendment "A" (H-524)**

This amendment provides that the superintendent of a school administrative unit may deny the request of a public charter school student to participate in an extracurricular or interscholastic activity only if the public charter school the student attends already provides that same activity or if the noncharter public school does not have the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the superintendent of the school administrative unit, the superintendent must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision.

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 944**

### **Resolve, To Review the Impact of Unfunded Education Mandates and Evaluate the Efficacy of Education Laws**

**RESOLVE 74  
EMERGENCY**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| LANGLEY<br>POULIOT | OTP-AM                  | S-295                     |

This resolve directs the Commissioner of Education to establish a task force to review the effect of unfunded education mandates on school administrative units and career and technical regions in the State and to evaluate the efficacy of current education laws. The commissioner is directed to submit a report of the task force's findings and any suggested legislation to the Joint Standing Committee on Education and Cultural Affairs by January 10, 2014. The committee may submit a bill related to the report to the Second Regular Session of the 126th Legislature.

#### **Committee Amendment "A" (S-295)**

This amendment strikes and replaces the resolve to direct the Department of Education to conduct an analysis of current education laws and unfunded or underfunded federal or state education mandates that have resulted in an adverse impact on school administrative units and career and technical regions in the State. The department's analysis must include a summary of recent research and surveys conducted by state officials and pursuant to legislative studies and education stakeholder groups and must include an up-to-date list that identifies unfunded or underfunded federal or state education mandates, regulatory burdens and other education requirements that have resulted in an adverse impact on public schools in the State.

The amendment also directs the Commissioner of Education to establish a review committee to examine the list of unfunded education mandates, regulatory burdens and other education requirements identified under the department's analysis and to establish, by consensus, a list of priority recommendations regarding the unfunded or