

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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STATE OF MAINE

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 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 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 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

Joint Standing Committee on Education and Cultural Affairs

underfunded education mandates, regulatory burdens and other education requirements that should be repealed or amended by the Legislature. The commissioner is directed to submit a report of the findings and conclusions of the review committee, including any suggested legislation to address the review committee's recommendations, 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.

Enacted Law Summary

Resolve 2013, chapter 74 directs 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 resolve 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 underfunded education mandates, regulatory burdens and other education requirements that should be repealed or amended by the Legislature. The commissioner is directed to submit a report of the findings and conclusions of the review committee, including any suggested legislation to address the review committee's recommendations, 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.

Resolve 2013, chapter 74 was finally passed as an emergency measure effective July 3, 2013.

LD 959 An Act To Require That Seed Money Generated at an Individual ONTP
College of the Maine Community College System Be Returned to That
College for the Purpose of Enhancement

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R LANGLEY	ONTP	

This bill requires that seed money received as a result of the efforts of an individual college of the Maine Community College System be returned to and used to benefit that college.

LD 962 An Act To Increase Access to Higher Education ACCEPTED
MAJORITY
(ONTP) REPORT

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

This bill establishes a merit-based scholarship program for eligible students who graduate from high school in Maine and who are admitted to one of the institutions of the University of Maine System or the Maine Community College System. Students must have graduated in the top 25% of their classes in high school and family income must be less than \$30,000 a year. The scholarships are for the full or partial cost of tuition less any financial aid, awards or grants that reduce the level of tuition. Students must maintain a 3.0 grade point average in college in