

# 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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# 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.

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order to remain eligible for the scholarship. This scholarship program will be administered by the Finance Authority of Maine. The Finance Authority of Maine, which is given routine technical rule-making authority, may adjust these eligibility requirements to control expenditures or increase participation in the program.

**Committee Amendment "A" (H-133)**

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, modifies the Maine Merit Scholarship Program to replace income eligibility with eligibility based on expected family contribution. Expected family contribution is the standard that is used to determine financial need under various federal scholarship programs and under the Maine State Grant Program administered by the Finance Authority of Maine.

This amendment was not adopted.

**LD 963 An Act To Expand Access to Early Postsecondary Education**

**HELD BY  
GOVERNOR**

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

This bill makes the following changes to the early postsecondary education programs statutes:

1. It creates a permanent Commission on Expanding Early Postsecondary Access for High School Students;
2. It clarifies that adult education students, home school students and students from private schools are eligible for state subsidy for postsecondary courses. It also clarifies that a student may be eligible if the parents, school administrative unit and postsecondary institution approve;
3. It requires high schools to grant academic credit for postsecondary courses rather than allowing discretion;
4. It requires postsecondary institutions to provide information to students on the transferability of academic credit between postsecondary institutions;
5. It requires the Department of Education to pay 50% of tuition for up to 12 credit hours in an academic year rather than only the first 3 credit hours up to a possible 6-credit-hour maximum;
6. It adds instructors of postsecondary education courses that are offered in secondary schools to the list of personnel that are subject to the fingerprinting and background check requirements; and
7. It requires career and technical education centers to serve as sites for the administration of assessment tests to determine college-level academic skills.

The bill also requires the Department of Education and the Commission on Expanding Early Postsecondary Access for High School Students to establish and maintain a single publicly accessible website with information on early postsecondary education programs and research as well as hyperlinks to those programs and the research.

**Committee Amendment "A" (H-545)**

This amendment makes several changes to the bill:

1. It adds the definition of "secondary school student" to the definitions in the Maine Revised Statutes, Title 20-A,

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chapter 208-A in order for the definition to apply to the entire chapter and clarifies that "secondary school student" includes a student enrolled in an adult education program or participating in an approved home instruction program;

2. It requires that in order to be eligible to receive state subsidy for postsecondary courses, a secondary school student must be a Maine resident;
3. It limits the total number of secondary school students enrolled in a postsecondary school course to no more than 1/3 of the total number of students enrolled in the course;
4. It requires the school administrative unit to inform a student enrolled in a postsecondary school course of the extent to which high school credit will be granted toward graduation requirements as a result of successfully completing the course;
5. In current law, the department pays 50% of the in-state tuition for the first 3 credit hours taken each semester. The amendment doubles the amount to 6 credits;
6. It reduces the percentage of total funding available that can be used to support secondary school students enrolled in summer term courses; and
7. It increases the membership of the Commission on Expanding Early Postsecondary Access for High School Students from 19 to 20.

**Senate Amendment "A" To Committee Amendment "A" (S-328)**

This amendment removes the Commission on Expanding Early Postsecondary Access for High School Students from the bill.

**LD 994      An Act To Change the State's Share of Education Costs Including      ONTP**  
**Teacher Retirement Costs**

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

This bill provides that the total cost of teacher retirement, including the normal cost and the actual unfunded liability, must be funded through the state and local cost-sharing formula for funding public education from kindergarten to grade 12. The bill also changes the target for the state share of the total costs of education from 55% to 52%.

**LD 995      An Act To Establish a Moratorium on the Approval and Operation of      CARRIED OVER**  
**Virtual Public Charter Schools**

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

This emergency bill provides that the Maine Charter School Commission may not authorize the operation of any virtual public charter school until the Legislature enacts legislation that expressly authorizes the operation of virtual public charter schools in the State. The moratorium applies to the operations of any virtual public charter school that has not commenced operations as of the effective date of this legislation, regardless of whether the commission has approved, authorized or executed a contract for the virtual public charter school.