

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> 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**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**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 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 Second Regular Session of the 126<sup>th</sup> 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*

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**

Sponsor(s)

NELSON  
LANGLEY

Committee Report

OTP-AM

Amendments Adopted

H-545  
S-328 GOODALL

## *Joint Standing Committee on Education and Cultural Affairs*

This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

The 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 three 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.
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, 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 three credit hours taken each semester. The amendment doubles the amount to six credits.
6. It reduces the percentage of total funding available that can be used to support secondary school students enrolled in summer term courses.

*Joint Standing Committee on Education and Cultural Affairs*

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 995      An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools      Died In Concurrence**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND MACDONALD W	OTP ONTP	S-514   MILLETT

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

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.

The bill amends the definition of "virtual public charter school" to specify that virtual public charter schools provide education services through an online learning program that enrolls students on a part-time basis in grades nine to 12.

The bill also requires the Maine Charter School Commission to review the law and the virtual public charter school models that have been implemented in other states and develop a virtual public charter school model that will best serve the learning needs of students. The virtual public charter school model developed must apply only to part-time students in grades nine to 12 and must place emphasis on blended learning models for high school students. The Maine Charter School Commission is directed to report its findings, recommendations and any necessary implementing legislation with respect to the authorization or operation of virtual public charter schools to the Joint Standing Committee on Education and Cultural Affairs no later than December 1, 2013 and authorizes the joint standing committee to report out a bill to the Second Regular Session of the 126th Legislature related to the recommendations included in this report.

**Senate Amendment "B" (S-514)**

This amendment extends the reporting date from December 1, 2013 to December 1, 2014 and changes other references to reflect this change.

**LD 1096      An Act To Amend the Laws Governing Students Experiencing Education Disruption      PUBLIC 439**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP-AM	S-243 S-347   HILL

This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

The bill makes the following changes to the laws governing students who experience an education disruption.