

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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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

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 9 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 9 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.

This bill was 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 1002 An Act Regarding the Required Local Contribution in the School Funding Formula

LEAVE TO WITHDRAW

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

This bill modifies the provision of the essential programs and services school funding formula that provides that the state share of the total cost of funding public education from kindergarten to grade 12 is limited to the same proportion as the local school administrative unit raises of its required contribution to the total cost of education. The bill specifies that this limitation does not apply if a majority of the residents within that school administrative unit reside in municipalities eligible to receive funds from the Disproportionate Tax Burden Fund established under the State's municipal revenue sharing program.

LD 1003 Resolve, To Establish the Commission To Study Accessibility and Affordability of Higher Education

ONTP

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

This resolve establishes the Commission To Study Accessibility and Affordability of Higher Education.

LD 1019 An Act To Protect the State's Property Rights in Maine State Museum Research

PUBLIC 205 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL KATZ	OTP-AM	H-188

This bill exempts from the Freedom of Access Act historical research that includes an individual's personally identifiable information such as medical, psychiatric, employment, counseling or law enforcement records or information directly related to that individual's parent or child. The bill also exempts from the Freedom of Access

Joint Standing Committee on Education and Cultural Affairs

Act, unless authorized by the Maine State Museum's director, museum draft research, publications and exhibit materials that are not yet completed and publicly presented.

Committee Amendment "A" (H-188)

This amendment replaces the bill. This amendment:

1. Provides that draft research, publications and exhibit materials of the Maine State Museum are confidential and not public records until publication or presentation to the public or the Museum Director authorizes earlier release; and
2. Provides that personal information obtained by the Maine State Museum in the course of a historical research project is confidential and not a public record until the individual authorizes its release or dies. It also provides that the Museum Director may, at the request of the individual, designate that the information remain confidential for up to 25 years after the death of the individual in order to protect the privacy of the individual or the privacy of the parent or child of the individual.

Enacted Law Summary

Public Law 2013, chapter 205:

1. Provides that draft research, publications and exhibit materials of the Maine State Museum are confidential and not public records until publication or presentation to the public or the Museum Director authorizes earlier release; and
2. Provides that personal information obtained by the Maine State Museum in the course of a historical research project is confidential and not a public record until the individual authorizes its release or dies. It also provides that the Museum Director may, at the request of the individual, designate that the information remain confidential for up to 25 years after the death of the individual in order to protect the privacy of the individual or the privacy of the parent or child of the individual.

Public Law, chapter 205 was enacted as an emergency measure effective July 15, 2013.

**LD 1027 An Act To Provide an Improved Process for Voter Approval of
Withdrawal from a Regional School Unit**

**LEAVE TO
WITHDRAW**

Sponsor(s)

PARRY
LANGLEY

Committee Report

Amendments Adopted

This bill amends the laws concerning withdrawal of a municipality from a regional school unit by:

1. Directing the Commissioner of Education to determine the terms of a withdrawal agreement if a withdrawal committee cannot reach agreement within 150 days after formation of the committee; and
2. Until January 1, 2015, allowing a revote at any time for approval of a withdrawal agreement if the agreement was defeated upon a municipal vote but received at least 45% of the votes cast.