

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**MEMBERS:**

SEN. REBECCA J. MILLETT, CHAIR  
SEN. CHRISTOPHER K. JOHNSON  
SEN. BRIAN D. LANGLEY

REP. W. BRUCE MACDONALD, CHAIR  
REP. MARY P. NELSON  
REP. HELEN RANKIN  
REP. MATTHEA DAUGHTRY  
REP. BRIAN L. HUBBELL  
REP. VICTORIA P. KORNFIELD  
REP. PETER B. JOHNSON  
REP. JOYCE A. MAKER  
REP. MICHAEL D. MCCLELLAN  
REP. MATTHEW G. POULIOT  
REP. MADONNA M. SOCTOMAH

**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

FIRST REGULAR SESSION



## 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 1057**     **An Act Related to Public Funding of Charter Schools**

**VETO  
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUSIAK	OTP-AM OTP-AM	H-529

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend several funding requirements for public charter schools established in the Maine Revised Statutes, Title 20-A, chapter 112. The bill proposes that:

1. The Department of Education establish a new program budget account for funding the operation of public charter schools. Under current law, local school administrative units must provide funding for students who reside within the school administrative unit but who enroll in a public charter school. This bill proposes to require that the Commissioner of Education recommend an annual amount of state funding for students enrolled in public charter schools, but that funding that supports student enrollment or the operation of public charter schools may not come from state or local resources allocated through the General Purpose Aid for Local Schools program;
2. The amount of state funding provided by the Department of Education for a student enrolled in a public charter school may not exceed the combined level of federal, state and local per-pupil funding that would have been provided for the student had the student remained in attendance in the student's local school. Public charter schools may not discriminate among potential students who wish to attend the school based upon the combined level of federal, state and local per-pupil funding that would follow the student from the student's sending school administrative unit;
3. Virtual public charter schools may not receive state or local funding, except that state and local resources allocated through the General Purpose Aid for Local Schools program must be provided by the sending school administrative unit to the virtual public charter school for a student who experiences education disruption as defined in the Maine Revised Statutes, Title 20-A, section 5161, subsection 9 and who enrolls in a virtual public charter school; and
4. School administrative units not be responsible for the transportation costs for a student who resides within the school administrative unit but who enrolls in a public charter school, and school administrative units not be responsible for providing transportation for students who are enrolled in a public charter school and who also attend a career and technical education program that is supported by public funds raised by the school administrative unit. Public charter school students may access transportation to the career and technical education program only from a noncharter public secondary school or another location where career and technical education students gather to access transportation to the career and technical education program.

**Committee Amendment "A" (H-529)**

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, establishes provisions to fund public charter schools that are authorized by the Maine Charter School Commission beginning in fiscal year 2014-15. The amendment establishes provisions that calculate the total allocation of funds to be provided under the General Purpose Aid for Local Schools program for public charter schools that are authorized by the commission.

The amendment also provides that, beginning in fiscal year 2014-15, the Commissioner of Education's recommendations for funding levels under the Essential Programs and Services Funding Act must include funding level computations for the total allocation of funds to public charter schools authorized by the commission. The amendment also provides that the commissioner may expend and disburse funds for the public charter schools authorized by the commission in accordance with provisions of the Maine Revised Statutes, Title 20-A, chapter 112

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

and Title 20-A, section 15683-B.

**Committee Amendment "B" (H-530)**

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, establishes provisions to fund public charter schools that are authorized by the Maine Charter School Commission beginning in fiscal year 2014-15. The amendment establishes provisions that calculate the total allocation of funds to be provided under the General Purpose Aid for Local Schools program for public charter schools that are authorized by the commission.

The amendment also provides that, beginning in fiscal year 2014-15, the Commissioner of Education's recommendations for funding levels under the Essential Programs and Services Funding Act must include funding level computations for the total allocation of funds to public charter schools authorized by the commission in accordance with provisions of the Maine Revised Statutes, Title 20-A, section 15683-B.

**LD 1083      Resolve, Directing the Department of Education To Develop a Process To Provide Alternative Pathways To Learning for Certain High School Students      ONTP**

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

This resolve directs the Commissioner of Education to review the issues presented when secondary school students, after repeated school interventions and individualized, targeted efforts, continue to be habitually disruptive in the classroom. The resolve directs the commissioner to examine the impact of the presence of such students on the rest of the classroom and the school community and develop a process to identify secondary school students who, because of the students' recurring discipline issues, might benefit from exemption from the laws governing compulsory school attendance. The resolve directs the commissioner to identify potential options for alternative pathways to successful learning for such students, including but not limited to trade apprenticeships, internships and independent learning leading to high school equivalency certification, and examine ways to ensure that information regarding these alternative pathways is made available to such students.

**LD 1093      An Act To Clarify the Criteria of the Health Professions Loan Program as It Affects Physicians Practicing Neurology-psychiatry      VETO SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN GRAHAM	OTP-AM	S-119

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to clarify the criteria in the Health Professions Loan Program administered by the Finance Authority of Maine for designating underserved areas and populations and the criteria for designating eligibility of specialty physicians to practice in underserved areas to include neurologists-psychiatrists.

**Committee Amendment "A" (S-119)**

This amendment replaces the bill. This amendment specifies that neurology-psychiatry is an underserved specialty for purposes of loan forgiveness under the Health Professions Loan Program. This amendment makes the provision retroactive to January 1, 2012.