

# 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

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 1098**     **An Act To Encourage Teacher Input in Education Policy**

**LEAVE TO  
WITHDRAW**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| PATRICK<br>GILBERT |                         |                           |

This bill provides that teacher planning and preparation periods, class sizes and staffing levels are not educational policies that are not subject to collective bargaining.

**LD 1100**     **An Act To Update and Revise the Laws Governing the Maine Arts  
Commission**

**PUBLIC 181**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLETT<br>MAKER  | OTP-AM                  | S-98                      |

This bill modifies laws governing the Maine Arts Commission (MAC) as follows.

1. It removes language providing for the State Treasurer to the invest, in accordance with laws governing trust funds, any funds given to the MAC as endowment funds; it provides that the Director of the MAC, with the approval of the commission, may expend endowment principal and interest to further the educational objectives of the MAC's programs.
2. It repeals the Maine Student Artist Awards Program, the arts outreach program and the law establishing the Arts in Education Program.
3. It rewrites the general duties of the MAC under the Arts in Education subchapter to direct the MAC to provide leadership in developing and sustaining an agenda for arts education throughout the State in partnership with federal, state and local entities; lead efforts to make the arts a part of the core education for all students from kindergarten to grade 12 and to increase arts opportunities outside the school setting; conduct research on arts education for elementary and secondary schools; and operate arts education and outreach programs to combine the presentation of art with arts education.

It leaves in place the requirement that the MAC work with schools to identify common educational goals. It also repeals the following duties: to provide funding to 1/3 of the schools in the State each year on a 3-year rotating basis; to use professional artists in developing a process for achieving learning results; to invite school systems, through their superintendents, to participate in the program; to provide training, information and seed money to each local arts education committee composed of school personnel and residents of the school district to develop a 3-year plan to increase arts education opportunities; and to promote artist residencies, professional development for teachers, curriculum development and advocacy and information projects.

**Committee Amendment "A" (S-98)**

This amendment:

1. Retains current law, proposed to be repealed by the bill, that provides that funds, if given to the Maine Arts Commission as an endowment, must be invested by the Treasurer of State according to the laws governing the investment of trust funds. It also provides that endowment funds may be used only for the purposes for which the endowment is established in accordance with the intent of the donor; and