

# 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*

2. Retains current law that requires the Maine Arts Commission to establish the Arts in Education Program, but changes its name to the Arts Education Program and removes unnecessary descriptive language: this program is described in a section of law not amended by the bill.

### **Enacted Law Summary**

Public Law 2013, chapter 181 modifies laws governing the Maine Arts Commission (MAC) as follows.

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 as long as the endowment funds are used only for the purposes for which the endowment is established in accordance with the intent of the donor.

It repeals the Maine Student Artist Awards Program and the MAC's arts outreach program. It retains current law that requires the MAC to establish the Arts in Education Program, but changes its name to the Arts Education Program and removes unnecessary descriptive language.

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.

**LD 1106**

### **An Act To Develop a Grant Program To Establish a Teacher-led School Model**

**PUBLIC 303**

Sponsor(s)

MOONEN  
LANGLEY

Committee Report

OTP

Amendments Adopted

This bill provides for the creation, submission, review and approval of innovation plans to establish teacher-led schools. The bill allows one or more public schools within a school administrative unit to initiate the creation of an innovation plan for the creation and operation of a teacher-led school for submission to its school board. The bill also permits a school board to initiate and collaborate with one or more of the public schools it operates to create an innovation plan. The bill provides that a school board may obtain waivers of laws, rules and local policy requirements from the Commissioner of Education that are considered necessary for a teacher-led school to implement an innovation plan. The bill also allows for grants from the Fund for the Efficient Delivery of Educational Services for the costs associated with establishing a teacher-led school.

### **Enacted Law Summary**

Public Law 2013, chapter 303 provides for the creation, submission, review and approval of innovation plans to establish teacher-led schools. The law allows one or more public schools within a school administrative unit to initiate the creation of an innovation plan for the creation and operation of a teacher-led school for submission to its

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

school board. The law also permits a school board to initiate and collaborate with one or more of the public schools it operates to create an innovation plan. The law provides that a school board may obtain waivers of laws, rules and local policy requirements from the Commissioner of Education that are considered necessary for a teacher-led school to implement an innovation plan. The law also allows for grants from the Fund for the Efficient Delivery of Educational Services for the costs associated with establishing a teacher-led school.

**LD 1123      An Act To Allow the Town of Bancroft To Withdraw from Its Regional School Unit without Penalty      LEAVE TO WITHDRAW**

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

This bill exempts the Town of Bancroft from school reorganization requirements and associated penalties for withdrawal from its regional school unit because the Town of Bancroft has filed legislation with the Legislature for approval to deorganize.

**LD 1128      An Act To Provide for Greater Public Input and Local Control in the Chartering of Public Schools      VETO SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND MCCABE	OTP-AM OTP-AM	S-227

This bill requires that any person, group or organization, prior to filing an application for a public charter school with the Maine Charter School Commission, must hold at least 3 public hearings in the region that would be affected by the operation of the public charter school. The organizers must also meet the following requirements:

1. Provide the public with the best estimates possible regarding the impact on funding, student enrollment, courses and teachers in both the public schools and the proposed public charter school;
2. Announce to the persons who attend a public hearing that they have the right to provide the Maine Charter School Commission with their opinions and concerns about the proposed plan to operate a public charter school in the region in which they reside;
3. Hold a vote to determine if the persons who attend a public hearing are in favor of the organizers' proposed plan to operate a public charter school in the region in which the persons reside; and
4. Provide the Maine Charter School Commission with an objective summary of the public comments presented at each public hearing, the discussions that occurred between organizers and the persons who attended the public hearings and the result of the vote held at the public hearings.

The bill provides that the Maine Charter School Commission may accept an application for a public charter school only if the organizers of the proposed public charter school meet each of the requirements and if the majority of the persons that attended the public hearings held by the organizers voted in favor of the proposed plan to operate a public charter school in the region.

Finally, the bill requires the Commissioner of Education to review the current funding laws and rules for public charter schools and to submit proposed legislation that provides options for funding public charter schools, including but not limited to establishing a new General Fund program account to pay for public charter schools and