

# 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  
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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 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 1291     An Act Regarding the Effect on Collective Bargaining Agreements of  
Failure To Validate a School Budget**

**DIED BETWEEN  
HOUSES**

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

This bill was acted upon without reference to committee.

This bill provides that a public employer may not enter into a collective bargaining agreement that covers teachers employed by a school administrative unit unless the voters of the school administrative unit have approved the collective bargaining agreement as part of the process for approval of the budget for the school administrative unit.

**LD 1300     An Act To Promote and Expand Awareness of the Educational  
Opportunity Tax Credit**

**PUBLIC 417**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRANT ALFOND	OTP-AM OTP-AM	H-238

This bill modifies the Job Creation Through Educational Opportunity Program. The bill:

1. Amends the educational opportunity tax credit for education loans. Under current law the credit is refundable if the student (opportunity program participant) obtains an associate degree or bachelor's degree in science, technology, engineering or mathematics (STEM). Under the bill, the STEM limitation is removed for participants who receive an associate degree. The bill also makes the credit refundable for employers; currently the credit is refundable only for the student participant;
2. Requires the Department of Education to contract with a private nonprofit corporation in the amount of at least \$20,000 annually to market the program throughout the State, targeting high schools, postsecondary educational institutions and organizations of parents, teachers and other relevant audiences;
3. Requires the Department of Education annually to notify superintendents of schools about the program and requires the superintendents to publicize the availability of the program among parents, students and school staff;
4. Requires the Department of Labor to require that state and local workforce investment boards and the Competitive Skills Scholarship Program include in their plans and programs efforts to promote and increase awareness of the program; and
5. Requires the University of Maine, Maine Community College System and Maine Maritime Academy to provide information about the program as part of, but not limited to, federally required entrance and exit interviews of student and directs the Department of Education to encourage all other postsecondary educational institutions in the State to do same.

**Committee Amendment "A" (H-238)**

This amendment, which is the majority report, removes the provisions of the bill that modify the educational opportunity tax credit and modifies the provisions of the bill regarding promotion of the Job Creation Through Educational Opportunity Program. The amendment:

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

1. Requires the Department of Education to notify superintendents annually about the program and encourage the superintendents to publicize the availability of the program among students, parents and school staff;
2. Retains the requirement in the bill that the Department of Labor require that publicly funded workforce development programs, including state and local workforce investment boards and the Competitive Skills Scholarship Program, include within their plans and programs efforts to promote and increase awareness of the program;
3. Directs the Maine Community College System, the University of Maine System and the Maine Maritime Academy to make reasonable efforts to inform students about the program;
4. Directs the Finance Authority of Maine, instead of the Department of Education as in the bill, to contract with a private nonprofit corporation in the amount of at least \$20,000 annually to market the program throughout the State; and
5. Adds an appropriations and allocations section.

### **Committee Amendment "B" (H-239)**

This amendment, which is the minority report, removes the provisions of the bill that modify the educational opportunity tax credit and modifies the provisions of the bill regarding promotion of the Job Creation Through Educational Opportunity Program. The amendment requires the Department of Education, the Department of Labor and the Finance Authority of Maine to collaborate with postsecondary educational institutions, school superintendents and others to develop and implement efforts to promote and publicize the program. If, as a result of such collaboration, it is determined that it would be advantageous for the State to contract with a private nonprofit corporation to market the program, the Finance Authority of Maine may seek appropriate funding for such a contract and, upon receipt of sufficient funding, may contract with a private nonprofit corporation to market the program throughout the State.

### **Enacted Law Summary**

Public Law 2013, chapter 417 modifies the Job Creation Through Educational Opportunity Program. Public Law 2013, chapter 417:

1. Requires the Department of Education to notify superintendents annually about the program and encourage the superintendents to publicize the availability of the program among students, parents and school staff;
2. Requires the Department of Labor to require that publicly funded workforce development programs, including state and local workforce investment boards and the Competitive Skills Scholarship Program, include within their plans and programs efforts to promote and increase awareness of the program;
3. Directs the Maine Community College System, the University of Maine System and the Maine Maritime Academy to make reasonable efforts to inform students about the program; and
4. Directs the Finance Authority of Maine to contract with a private nonprofit corporation in the amount of at least \$20,000 annually to market the program throughout the State.