

# 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 1301 An Act To Create the Maine Education Investment Board**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NELSON LANGLEY	ONTP	

This bill establishes the Maine Education Investment Board. The board consists of the Commissioner of Education or the commissioner's designee, members of various sectors of the State's publicly supported educational entities and 2 public members. The board shall develop and enter into annual achievement compacts with the State's educational entities that receive public funds from the department and oversee the progress of the entities under those compacts to ensure that all public school students in this State reach the education outcomes established for the State from kindergarten to postsecondary education. The compacts must include strategies for streamlined transitions between grades and school systems, strategies to ensure that public school students meet the requirements for graduation and goals for high school and college graduation rates, strategies to ensure availability of high-quality career and technical education courses and fair measures for assessing teacher quality. The board shall also work on strategic projects assigned by the commissioner.

**LD 1321 An Act To Promote Healthy School Lighting**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOLAND TUTTLE	ONTP	

This bill requires all public schools to install and maintain, for all new or replacement classroom lighting, lighting that meets color rendition standards adopted by rule by the Department of Education. Standards adopted by the department must ensure that the lighting has a color rendering index value of 90 or higher as determined in accordance with procedures and standards established by the International Commission on Illumination or as verified by the United States Department of Energy.

**LD 1322 An Act To Amend the Laws Governing the Withdrawal of a Municipality from a Regional School Unit**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI LANGLEY	ONTP	

This emergency bill provides for a process of so-called final offer arbitration as a means to resolving a dispute between a withdrawal committee and the directors of the regional school unit board regarding an agreement for withdrawal for a municipality that seeks to withdraw from a regional school unit. The bill requires that, in the event that a withdrawal committee and the directors of the regional school unit board are unable to reach agreement on the provisions of an agreement for withdrawal, the Commissioner of Education, in consultation with the parties, shall appoint an arbitrator to assist the parties in the settlement of the dispute related to the agreement for withdrawal between the parties.

Current law requires that the total number of votes cast for and against the withdrawal agreement must equal or exceed 50% of the municipal votes cast for a candidate for Governor in the last gubernatorial election. This bill eliminates that requirement while still maintaining the requirement that the withdrawal agreement is approved by a majority vote. Finally, the bill removes changes made by Public Law 2011, chapter 678, Part J that would have

*Joint Standing Committee on Education and Cultural Affairs*

reinstated the 2/3 vote requirement for approving a withdrawal agreement on January 1, 2015.

**LD 1330     An Act To Establish in Law a Method for Alternative Certification of Teachers** **CARRIED OVER**

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

This bill establishes an alternative pathway to teacher certification. Under this bill, programs that prepare persons for alternative certification are certified by the Commissioner of Education. The programs must provide targeted course work in teaching, mentoring or student teaching experience, classroom preparation and student assessments. Graduates of these programs are eligible to obtain professional teacher certificates. The bill also requires the State Board of Education to establish minimum standards of performance for these programs and, by October 31, 2016, to develop minimum standards of performance for all teacher preparation programs.

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 1332     An Act To Increase the College Graduation Rate in Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOYLE TIPPING-SPITZ	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a college scholarship fund for postsecondary students who have left school after making considerable progress towards completion of their undergraduate degrees and who are unable to return without financial assistance. The fund would be established and administered by the State, with initial funding of equal amounts from the State, universities in this State and the private sector.

**LD 1346     An Act To Ensure That Charter Schools Are Funded by the State** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL J LACHOWICZ	ONTP	

This bill establishes a moratorium on the authorization of new public charter schools until the State provides at least 55% of the total cost of funding public education from kindergarten to grade 12 as set out in the Essential Programs and Services Funding Act. The bill amends the current collective bargaining provisions in the public charter school laws to clarify that teachers employed by a public charter school authorized by the Maine Charter School Commission retain the choice of whether or not to establish a collective bargaining unit and whether or not to become a member of a collective bargaining unit established for the public charter school.

The bill also provides that teachers employed by a public charter school authorized by a local school board or a collaborative of local school boards may choose to bargain collectively as follows.

1. Teachers who are employees of a start-up public charter school have the same rights as other teachers in public education to organize and bargain collectively.