

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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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126TH 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 126th 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 126th 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.

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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.

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2. Teachers who are employees of a noncharter public school converting to a public charter school remain public employees for all purposes, unless a majority of teachers employed by the conversion public charter school vote to be represented in alternative ways.

3. Teachers who are employees of a start-up public charter school or a noncharter public school converting to a public charter school may collectively bargain as a separate bargaining unit or as part of an existing school administrative unit collective bargaining unit as determined by a majority of the teachers employed by the start-up public charter school or noncharter public school converting to a public charter school.

**LD 1347 An Act To Improve the School Administrative Unit Consolidation Laws
by Allowing a Regional School Unit To Dissolve Itself**

**LEAVE TO
WITHDRAW**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to improve the school administrative unit consolidation laws by allowing for the dissolution of a regional school unit at the end of any school year. The bill provides the following process for the dissolution of a regional school unit.

1. A member municipality of a regional school unit may petition to hold a vote on the dissolution of the regional school unit.
2. If a majority of the voters in the municipality approve the petition, the petition must be presented to the regional school unit board and the Commissioner of Education. The commissioner shall contact the regional school unit board, municipal officers of the participating municipalities and representatives of the group that filed the petition to establish a dissolution committee, which must prepare a dissolution agreement for submission to the voters of the member municipalities in the regional school unit.
3. Each member municipality of the regional school unit may independently decide whether the member municipality wants to participate in the referendum vote to dissolve the regional school unit.
4. A majority of the member municipalities within the regional school unit must approve the decision to hold the referendum vote on the question on the dissolution of the regional school unit.
5. The regional school unit may be dissolved only if a majority of voters in a majority of the member municipalities within the regional school unit votes to approve the referendum question to dissolve the regional school unit.
6. If a majority of voters in a majority of the member municipalities within the regional school unit votes to approve the referendum question on the dissolution of the regional school unit, the regional school unit must be dissolved and the board of directors of the regional school unit and a dissolution committee comprised of members representing each of the member municipalities in the regional school unit must develop and execute a dissolution agreement.
7. The dissolution agreement must provide for the disposition of all real and personal property and other monetary assets.
8. The dissolution agreement must address the outstanding indebtedness of the regional school unit as follows:
 - A. Outstanding indebtedness may not include debt service for school property, including real estate, facilities