

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION AND
CULTURAL AFFAIRS**

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

the Legislature having jurisdiction over education matters may submit a bill related to this report to the First Regular Session of the 127th Legislature.

LD 1716 An Act To Increase the Rate of Reimbursement for Providing Career and Academic Advising and Counseling Services to Adult Education Students

PUBLIC 460

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	H-616

Currently, career and academic advising and counseling costs incurred by local adult education programs are considered administrative costs under the Maine Revised Statutes, Title 20-A, section 8607-A, subsection 1 and reimbursed at a rate of 70% of those costs. This bill requires that career and academic advising and counseling costs incurred by local adult education programs, because those services are provided directly to students, be reimbursed at the rate of 75% of those costs, which is the same as the reimbursement rate for courses for students.

Committee Amendment "A" (H-616)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 460 requires that career and academic advising and counseling costs incurred by local adult education programs must be reimbursed at the rate of 75% of those costs, which is the same as the reimbursement rate for courses for students.

LD 1726 An Act Directing the Department of Education To Formulate and Implement a Citizenship Educational Component for the School Curriculum

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON JOHNSON C	ONTP OTP-AM	

This bill amends the law requiring instruction in history, government and citizenship in elementary and secondary schools. This bill specifies instruction be provided concerning different models of local government and the history, organization and operation of the Federal Government and of Maine government.

Committee Amendment "A" (H-676)

This amendment, which is the minority report, incorporates a fiscal note.

LD 1727 An Act To Establish Guidelines for the Stocking and Administration of Epinephrine Autoinjectors in Schools

PUBLIC 526

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON JOHNSON C	OTP-AM	H-779

This bill establishes guidelines for the stocking and administering of epinephrine auto injectors by schools.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (H-779)

This amendment provides for the provision and administration of epinephrine auto injectors through collaborative practice agreements between physicians licensed in this State or school health advisors and school nurses.

Enacted Law Summary

Public Law 2013, chapter 526 provides for the provision and administration of epinephrine auto injectors through collaborative practice agreements between physicians licensed in this State or school health advisors and school nurses.

LD 1728 An Act To Prohibit Possession of a Replica or Simulated Firearm on or near School Property Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL MACDONALD W	ONTP OTP-AM	

This bill prohibits the possession of a replica or simulated firearm on or near public or private school property and makes a violation of the law a Class E crime.

Committee Amendment "A" (S-402)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, clarifies provisions proposed in the bill that prohibit the possession of a replica or simulated firearm on or near public or private school property. The amendment includes the following changes to the bill.

1. It clarifies the definition of "replica or simulated firearm" to provide that the object is not capable of expelling a projectile or is capable of expelling a projectile other than by the action of an explosive.
2. It clarifies the definition of "replica or simulated firearm" to provide that the object could reasonably be mistaken for an actual firearm.
3. It provides an exemption from the law for toys, look-alikes and imitation firearms that meet the marking conditions established under federal law.
4. It provides an exception for law enforcement officials.
5. It removes the provision that prohibits the possession of a replica or simulated firearm within 500 feet of public or private school property.
6. It changes the provision that makes the possession of a replica or simulated firearm on public or private school property a Class E crime by making that possession a civil violation.

LD 1736 Resolve, To Provide Maine Students with Access to Online and Digital Learning Opportunities through Their Existing School Districts Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY HUBBELL	OTP-AM OTP-AM	S-392 H-631 HUBBELL