

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

2. An amendment to the existing funding model for virtual public charter schools in order to provide that state funding is allocated as separate line items in the General Purpose Aid for Local Schools program and that the amount of funding provided for a student enrolled in a virtual public charter school does not exceed \$6,000 per student.

The amendment also strikes the moratorium proposed in the resolve that would prohibit the authorization of virtual public charter schools and public charter schools that integrate online and on-site instruction until after the virtual academy administered by the State is operational. This amendment also adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-631)

This amendment removes the emergency preamble and emergency clause.

LD 1747

Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education

**RESOLVE 113
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-757 H-777 JOHNSON P

This resolve provides for legislative review of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education.

Committee Amendment "A" (H-757)

This amendment provides that final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education, is authorized upon the Department of Education's making specific changes to the rule.

House Amendment "A" To Committee Amendment "A" (H-777)

This amendment amends Committee Amendment "A." The amendment differs from Committee Amendment "A" in the following ways.

1. It removes the provision in Committee Amendment "A" that sets requirements related to a school administrative unit that does not submit a performance evaluation and professional growth system, referred to as a PE/PG system, in compliance with the Maine Revised Statutes, Title 20-A, chapter 508 and the rule by June 1, 2015.
2. It includes requirements related to the criteria or instrument used to measure student growth.
3. It includes provisions setting requirements if the stakeholder group fails to reach consensus.
4. It adds provisions requiring the Department of Education to develop at least one complete model PE/PG system for teachers and at least one complete model PE/PG system for principals by July 3, 2014.

Enacted Law Summary

Resolve 2013, chapter 113 provides that final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education, is authorized upon the Department of Education's making specific changes to the rule.

Joint Standing Committee on Education and Cultural Affairs

Chapter 113 also requires the Department of Education to develop at least one complete performance evaluation and professional growth system model for teachers and at least one complete performance evaluation and professional growth system model for principals by July 3, 2014.

Resolve 2013, chapter 113 was finally passed as an emergency measure effective May 1, 2014.

**LD 1768 An Act To Allow All Current Members and Veterans of the United States
Armed Forces To Be Eligible for In-state Tuition Rates**

**PUBLIC 488
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI TUTTLE	OTP-AM	H-695

Current law allows veterans of the Armed Forces of the United States who use so-called G.I. Bill benefits for tuition at any campus of the University of Maine System, the Maine Community College System or the Maine Maritime Academy to be eligible for in-state tuition rates, regardless of their state of residency. This bill extends that eligibility for in-state tuition rates to all veterans, regardless of their state of residency and regardless of whether they use G.I. Bill benefits to pay tuition.

Committee Amendment "A" (H-695)

This amendment provides that, if a current member of the United States Armed Forces or a veteran of the United States Armed Forces who has been honorably discharged is enrolled in a program of education at any campus of the University of Maine System, the Maine Community College System or the Maine Maritime Academy, that member or veteran is eligible for in-state tuition rates, regardless of the member's or veteran's state of residence.

Enacted Law Summary

Public Law 2013, chapter 488 provides that, if a current member of the United States Armed Forces or a veteran of the United States Armed Forces who has been honorably discharged is enrolled in a program of education at any campus of the University of Maine System, the Maine Community College System or the Maine Maritime Academy, that member or veteran is eligible for in-state tuition rates, regardless of the member's or veteran's state of residence.

Public Law 2013, chapter 488 was enacted as an emergency measure effective March 22, 2014.

**LD 1769 An Act To Implement the Recommendations of the Report Defining Cost
Responsibility for Deaf and Hard-of-hearing Students Receiving
Services from the Maine Educational Center for the Deaf and Hard of
Hearing and the Governor Baxter School for the Deaf**

PUBLIC 552

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-479

This bill has been submitted by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2011, chapter 683, section 11, as amended by Public Law 2013, chapter 347. As required by these public laws, the Commissioner of Education and the Executive Director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf submitted a joint report to the committee that included their findings, recommendations and the necessary changes to the Maine Revised Statutes, Title 20-A, chapter 304 that clarify the procedural and financial responsibilities of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and school administrative units that send students to attend the center preschool, the center school or a satellite school that is operated by the Maine Educational Center for the