

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
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

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. KORNFELD
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
KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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

with information on early postsecondary education programs and research as well as hyperlinks to those programs and the research.

Committee Amendment "A" (H-783)

This amendment makes the following changes to the bill regarding early postsecondary education programs.

1. It clarifies that a secondary school student who is enrolled in an adult education program is eligible for a state subsidy for postsecondary courses.
2. It strikes the provision related to a secondary school student who is participating in an approved home instruction program from the bill since the Maine Revised Statutes, Title 20-A, section 4772-B already specifies the eligibility requirements for a student who is participating in an approved home instruction program.
3. It corrects the allocation of the proposed section regarding student eligibility to avoid a numbering conflict.
4. It removes the provision in the bill that proposed to limit the number of secondary school students taking a postsecondary education course to no more than 1/3 of the number of students taking the course.
5. It corrects a cross-reference.

LD 1805

An Act To Implement the Recommendations of the Review Committee Established To Examine the Impact of Unfunded Education Mandates and Other Regulatory Burdens

PUBLIC 506

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

This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2013, chapter 74, section 4. As required by the resolve, the Commissioner of Education submitted a report to the committee that included a list of priority recommendations regarding unfunded or underfunded education mandates, regulatory burdens and other education requirements that the review committee established by the resolve recommended should be repealed or amended by the Legislature.

The bill makes the following changes to the Maine Revised Statutes, Title 20-A.

1. It repeals requirements related to the promotion of gender equity for women in public school administration, including provisions that require:
 - A. The joint standing committee of the Legislature having jurisdiction over educational matters to hold hearings every two years on the status of women in public school administration;
 - B. The Commissioner of Education to set a statewide target goal for the employment of women in positions requiring administrator certification; and
 - C. The Commissioner of Education to provide technical assistance to school administrative units and compile data to monitor the progress in attaining the goals established for gender equity for women in public school administration.
2. It repeals the requirement that the Commissioner of Education maintain a clearinghouse for information on development and deployment of nuclear weapons and industrial nuclear usage in the world.

Joint Standing Committee on Education and Cultural Affairs

3. It repeals the requirement that the Department of Education employ staff and make office space available to support school volunteer programs.
4. It removes provisions that require the Department of Education and the Department of Administrative and Financial Services, Bureau of General Services to establish a school facilities maintenance template and software and to provide technical assistance to school administrative units to implement maintenance and capital improvement programs for school facilities.
5. It repeals the requirement that the Department of Education report by January 15, 1992 on the status of national efforts to certify teachers of blind and visually impaired students to the joint standing committee of the Legislature having jurisdiction over education matters.
6. It repeals the provision that allowed a school administrative unit to reduce the number of days for the maintenance of schools by five days a year for school years 1991-1992 and 1992-1993.
7. It repeals the provisions that authorized the Department of Education to establish a pilot project for state wards who were in the custody of the Department of Health and Human Services in school year 1991-1992.
8. It repeals the provisions that allowed the cost of removing architectural barriers to be included in the maximum allowable tuition that public or private schools could charge for tuition students. These provisions applied to minor capital projects that received approval by the Department of Education before June 30, 1982.
9. It repeals the provision that required the Commissioner of Education to reimburse the amount of \$31 to any individual who paid \$55 for a renewal criminal history record check between September 17, 2005 and March 29, 2006.
10. It repeals the requirement that the Commissioner of Education provide an annual report to the joint standing committee of the Legislature having jurisdiction over education matters that validates the implementation status of each school administrative unit's comprehensive education plan, as well as reporting high school graduation rates and the numbers of students attending and persisting at the postsecondary education level.
11. It repeals the requirement that each school administrative unit establish a minimum salary of \$27,000 for certified teachers for the 2006-2007 school year.

The bill also provides that following the effective date of this legislation and until the Department of Education files proposed amendments to rules, rules adopted by the department to implement the Maine Revised Statutes, Title 20-A, section 4001, subsection 7 and section 15918 are void.

Enacted Law Summary

Public Law 2013, chapter 506 makes the following changes to the Maine Revised Statutes, Title 20-A related to unfunded or underfunded education mandates, regulatory burdens and other education requirements that the review committee established by Resolve 2013, chapter 74 recommended should be repealed or amended by the Legislature.

1. It repeals requirements related to the promotion of gender equity for women in public school administration, including provisions that require:
 - A. The joint standing committee of the Legislature having jurisdiction over educational matters to hold hearings every two years on the status of women in public school administration;
 - B. The Commissioner of Education to set a statewide target goal for the employment of women in positions requiring administrator certification; and

Joint Standing Committee on Education and Cultural Affairs

- C. The Commissioner of Education to provide technical assistance to school administrative units and compile data to monitor the progress in attaining the goals established for gender equity for women in public school administration.
2. It repeals the requirement that the Commissioner of Education maintain a clearinghouse for information on development and deployment of nuclear weapons and industrial nuclear usage in the world.
 3. It repeals the requirement that the Department of Education employ staff and make office space available to support school volunteer programs.
 4. It removes provisions that require the Department of Education and the Department of Administrative and Financial Services, Bureau of General Services to establish a school facilities maintenance template and software and to provide technical assistance to school administrative units to implement maintenance and capital improvement programs for school facilities.
 5. It repeals the requirement that the Department of Education report by January 15, 1992 on the status of national efforts to certify teachers of blind and visually impaired students to the joint standing committee of the Legislature having jurisdiction over education matters.
 6. It repeals the provision that allowed a school administrative unit to reduce the number of days for the maintenance of schools by five days a year for school years 1991-1992 and 1992-1993.
 7. It repeals the provisions that authorized the Department of Education to establish a pilot project for state wards who were in the custody of the Department of Health and Human Services in school year 1991-1992.
 8. It repeals the provisions that allowed the cost of removing architectural barriers to be included in the maximum allowable tuition that public or private schools could charge for tuition students. These provisions applied to minor capital projects that received approval by the Department of Education before June 30, 1982.
 9. It repeals the provision that required the Commissioner of Education to reimburse the amount of \$31 to any individual who paid \$55 for a renewal criminal history record check between September 17, 2005 and March 29, 2006.
 10. It repeals the requirement that the Commissioner of Education provide an annual report to the joint standing committee of the Legislature having jurisdiction over education matters that validates the implementation status of each school administrative unit's comprehensive education plan, as well as reporting high school graduation rates and the numbers of students attending and persisting at the postsecondary education level.
 11. It repeals the requirement that each school administrative unit establish a minimum salary of \$27,000 for certified teachers for the 2006-2007 school year.

Chapter 506 also provides that following the effective date of this law and until the Department of Education files proposed amendments to rules, rules adopted by the department to implement the Maine Revised Statutes, Title 20-A, section 4001, subsection 7 and section 15918 are void.

LD 1812 An Act To Reduce the Burden Placed on Students as a Result of Requirements To Take Remedial Courses

ONTP

Sponsor(s)

COTTA

Committee Report

ONTP

Amendments Adopted