

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

May 2016

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# STATE OF MAINE

127<sup>TH</sup> 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 Second Regular Session of the 127<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. An appendix provides a summary of relevant session statistics.

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 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 127<sup>th</sup> Legislature is July 29, 2016. 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 1464**

**An Act To Revise the Educational Personnel Certification Statutes and To Direct the Department of Education To Review Department Rules Regarding Educational Personnel Certification**

**PUBLIC 395**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER J BAKER L	OTP-AM	H-525

This bill amends the laws regarding the criminal history record information of educational personnel to consolidate and update language. It requires the Commissioner of Education to set annually fees for criminal history record checks for and certification of educational personnel that currently are set in statute. It extends from fiscal year 2014-15 to all subsequent fiscal years the crediting of up to \$335,000 of fees from the initial and renewal certification of educational personnel to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education. It allows course work and testing for targeted need area and conditional certificates and transitional endorsements issued preceding the amendment of rules regarding qualifications to be completed within three years instead of annually. It also requires the department in conjunction with the State Board of Education to review all educational personnel certification rules and report by January 7, 2017 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The committee is authorized to report out legislation to the First Regular Session of the 128th Legislature.

**Committee Amendment "A" (H-525)**

This amendment clarifies the bill's proposed changes to the Commissioner of Education's authority to establish and assess fees for initial and renewal certificates. The amendment requires the Department of Education to annually post the fees required for the initial issuance of and the renewal of teacher, education specialist and administrator certificates on the department's publicly accessible website. The amendment also requires the commissioner to adopt major substantive rules to carry out the establishment and assessment of these certification fees.

**Enacted Law Summary**

Public Law 2015, chapter 395 makes the following changes to the laws related to the educational personnel certification.

1. It amends the laws regarding criminal history record information of educational personnel to consolidate and update language. It requires the Commissioner of Education to set annually fees for criminal history record checks for and certification of educational personnel that currently are set in statute.
2. It amends the commissioner's authority to establish and assess fees for initial and renewal certificates. It requires the Department of Education to annually post the fees required for the initial issuance of and the renewal of teacher, education specialist and administrator certificates on the department's publicly accessible website; and it also requires the commissioner to adopt major substantive rules to carry out the establishment and assessment of these certification fees.
3. It extends from fiscal year 2014-15 to all subsequent fiscal years the crediting of up to \$335,000 of fees from the initial and renewal certification of educational personnel to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the department.
4. It allows course work and testing for targeted need area and conditional certificates and transitional endorsements issued preceding the amendment of rules regarding qualifications to be completed within three years instead of annually.
5. It also requires the department in conjunction with the State Board of Education to review all educational

*Joint Standing Committee on Education and Cultural Affairs*

personnel certification rules and report by January 7, 2017 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The committee is authorized to report out legislation to the First Regular Session of the 128th Legislature.

**LD 1469    An Act To Promote Private Fund-raising for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf**

**PUBLIC 383**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C PIERCE T	OTP	

This bill requires the Executive Director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to designate a nonprofit organization as the private support organization for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to organize and foster support for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and its programs.

**Enacted Law Summary**

Public Law 2015, chapter 383 requires the Executive Director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to designate a nonprofit organization as the private support organization for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to organize and foster support for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and its programs.

**LD 1475    An Act To Facilitate the Use of State Education Subsidies**

**PUBLIC 463  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R MAKER J	OTP-AM	S-388

This bill authorizes a regional school unit to include an article in the warrant for its annual budget meeting providing that, in the event that the regional school unit receives more state education subsidy than the amount included in its budget, the regional school unit board is authorized to increase expenditures for school purposes in cost center categories approved by the regional school unit board, without a special budget meeting and budget validation referendum.

**Committee Amendment "A" (S-388)**

This amendment strikes and replaces the bill. The bill authorizes a regional school unit to include an article in the warrant for its annual budget meeting providing that, in the event that the regional school unit receives more state education subsidy than the amount included in its budget, the regional school unit board is authorized to increase expenditures for school purposes in cost center categories approved by the regional school unit board, without a special budget meeting and budget validation referendum. The amendment retains that provision and allows a regional school unit to include such articles for the purposes of increasing the allocation of finances in a reserve fund and decreasing the local cost share expectation for local property taxpayers for funding public education.

**Enacted Law Summary**

Public Law 2015, chapter 463 authorizes a regional school unit to include an article in the warrant for its annual budget meeting providing that, in the event that the regional school unit receives more state education subsidy than