

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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

127TH LEGISLATURE

SECOND REGULAR SESSION



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 127th 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 127th 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 1544

An Act To Improve Teaching Assignments in Maine's Public Schools

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER L	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend municipal public employees labor relations law to allow a public employer and a teacher to confer and negotiate regarding the assignment of the teacher to a grade level or content area.

Committee Amendment "A" (S-401)

This amendment is the minority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment provides that if a school administrative unit seeks to transfer a teacher to a teaching assignment and that transfer is involuntary, it must do so in accordance with a written policy adopted by the school administrative unit that addresses involuntary transfers. If a school administrative unit adopts a written policy on involuntary transfers, the policy must provide for notification to the teacher of the involuntary transfer. The amendment provides that a teacher who receives notice of an involuntary transfer may request, within 15 days of the notice, a hearing with the school board, which must take place within 30 days of the request.

The fiscal note on the amendment identifies certain requirements in this amendment as a potential state mandate. The committee members voting for this report find that the provisions identified as a potential mandate do not require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The requirement in the amendment that a school administrative unit adopt a written policy on involuntary transfers if the school administrative unit decides to involuntarily transfer a teacher does not require an expansion or modification of activities so as to necessitate additional expenditures from local revenue since there is no requirement that a school administrative unit involuntarily transfer a teacher.

This amendment was not adopted.

**LD 1555 Resolve, Regarding Legislative Review of Portions of Chapter 101:
Maine Unified Special Education Regulation Birth to Age 20, a Major
Substantive Rule of the Department of Education**

**RESOLVE 60
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a major substantive rule of the Department of Education.

Enacted Law Summary

Resolve 2015, chapter 60 authorizes final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a major substantive rule of the Department of Education.

Resolve 2015, chapter 60 was finally passed as an emergency measure effective March 13, 2016.