

# 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**

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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 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.