

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

STAFF:

PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST
CRAIG NALE, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

MEMBERS:

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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 First 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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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submit a report including the recommendations of the council to the Joint Standing Committee on Education and Cultural Affairs no later than January 1, 2016.

LD 1249 An Act To Bring Equity to the State Portion of the Education Funding Formula as It Applies to Regional School Unit No. 35 ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS GERZOFISKY	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to bring equity to the school funding formula as it applies to Regional School Unit No. 35, comprising the towns of Eliot and South Berwick. The bill would change the current formula for distribution of the costs for education within Regional School Unit No. 35 in a manner that would take into consideration unequal changes in property valuation, median income and population. The bill would phase in the changes to each municipality's share of costs over a period of five years in order to reduce the fiscal impact on the municipalities.

LD 1250 An Act To Reform Public Charter Schools Accepted Majority (ONTP) Report

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

This bill amends the laws governing public charter schools by:

1. Requiring the Department of Education to post the annual audit of a public charter school and information concerning every contract entered into by a public charter school on a publicly accessible portion of the department's website;
2. Requiring a public charter school to provide the Department of Education with information on every contract executed by the public charter school, including leases, employment contracts or agreements with outside providers of materials or supplies or maintenance, administrative, food or educational services;
3. Requiring that notice for governing board meetings of public charter schools be posted on a publicly accessible portion of the public charter school's website at least 30 days before the meeting, that governing board meetings be open to the public and the governing board take accurate minutes of the meeting and post those minutes on a publicly accessible portion of the public charter school's website within 48 hours after adjournment of the meeting; and
4. Prohibiting a public charter school from accepting a gift or grant that is conditional upon the removal of a staff member or teacher of the public charter school.

Committee Amendment "A" (H-152)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes the following provisions in the bill:

1. The provisions that require that notice for a meeting of a governing board of a public charter school be posted on a publicly accessible portion of the public charter school's website at least 30 days before the meeting, that a governing board meeting be open to the public and that the governing board take accurate minutes of the meeting

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and post those minutes on a publicly accessible portion of the public charter school's website within 48 hours after adjournment of the meeting; and

2. The provision that prohibits a public charter school from accepting a gift or grant that is conditional upon the removal of a staff member or teacher of the public charter school.

LD 1251 An Act To Safeguard Students' Personal and Private Information ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAWICKI MIRAMANT	ONTP	

This bill establishes data privacy practices for the Department of Education and school administrative units. It prohibits the department and school administrative units from disclosing personally identifiable information about students without the written consent of the parents of children under 18 years of age and the written consent of the students themselves when the students are at least 18 years of age. There are specific exceptions to the prohibitions. The bill also prohibits the collection, entry and maintenance of certain information about students and their families. A contractor, consultant or other party that has entered into a contract or other agreement with the department or a school administrative unit who violates the restrictions is subject to a \$5,000 civil penalty per violation and disqualification from future access to education records.

LD 1252 An Act To Protect Student Data ONTP

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

This bill establishes restrictions and protocols on the access and use of personally identifying student data by public and private elementary and secondary schools in software applications used to input, store and manage student data and on school-authorized electronic devices provided to students for overnight or at-home use. This bill also establishes restrictions and protocols for public and private elementary and secondary schools regarding allowable limitations on students' possession and use of and the schools' authority to access data on students' personal electronic devices.

LD 1253 An Act To Improve the Evaluation of Elementary and Secondary Schools CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATES	OTP-AM	H-467

This bill is a concept draft pursuant to Joint Rule 208. The bill would require that, beginning with the 2016-2017 school year and only after the adoption of major substantive rules by the Department of Education, the Commissioner of Education implement a school assessment system to measure school performance and student proficiency. The system implemented must include multiple measures of student achievement and may include, but is not limited to, the use of:

1. Summative assessments aligned with the grade level expectations of the parameters for essential instruction and graduation requirements established under the Maine Revised Statutes, Title 20-A, section 6209, subsection 2 and Department of Education Rule Chapter 132: Learning Results: Parameters for Essential Instruction;