

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

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STATE OF MAINE

127TH 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 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.

Joint Standing Committee on Education and Cultural Affairs

LD 1266 An Act To Expand and Improve State-approved School Construction Projects

**Accepted Majority
(ONTP) Report**

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

This bill amends the education statutes related to the method by which the Department of Education determines the state and local shares of the major capital costs for a state-approved school construction project. The bill requires that the amount of the state and local shares for the approved major capital costs of the school construction project approved for a school year beginning on or after July 1, 2016 must be based on the same percentages as the state and the school administrative unit's contributions to the total cost of education as determined by the school administrative unit's state share percentage as calculated in accordance with the Maine Revised Statutes, Title 20-A, section 15672, subsection 31. The bill also requires that a school administrative unit establish a reserve fund to finance capital improvement or capital equipment for a state-approved school construction project approved for a school year beginning on or after July 1, 2016.

Committee Amendment "A" (H-253)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment reduces the required annual deposit or investment for capital improvement or capital equipment from two percent, as proposed in the bill, to one percent for the reserve fund to be established by a school administrative unit that receives a state share percentage of 20 percent or more for a school construction project approved for state funding on or after July 1, 2016.

LD 1276 An Act To Improve Educational Assessments of Maine Students

P & S 10

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCLELLAN	OTP-AM	H-280 S-219 LANGLEY

This bill:

1. Directs the Department of Education to terminate the State's membership in the Smarter Balanced Assessment Consortium and adopt a method of education assessment that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes or feelings;
2. Requires that a state assessment of student achievement be developed with direct input from teachers, parents and school boards and specifically address the needs of students and citizens of the State;
3. Requires that personally identifying data of a student derived from a state assessment of student achievement be disseminated only with the express written permission of each of the student's parents or guardians;
4. Requires that the State's participation in or entrance into an agreement with an organization, consortium or association in establishing or implementing standards and a state assessment of student performance be done through major substantive rules; and
5. Prohibits a state assessment of student achievement from being aligned with the so-called common core state standards initiated and adopted by several states.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (H-280)

This amendment retains the provisions in the bill that:

1. Direct the Department of Education to terminate the State's membership in the Smarter Balanced Assessment Consortium and adopt a method of educational assessment that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes and feelings; and
2. Require that personally identifying data of a student derived from a state assessment of student achievement be disseminated only with the express written permission of each of the student's parents or guardians or of the student, if of majority age.

The amendment makes the following changes to the bill:

1. It removes the emergency preamble and the emergency clause;
2. It removes the requirement that the State's participation in or entrance into an agreement with an organization, consortium or association in establishing or implementing standards and a state assessment of student performance be done through major substantive rules;
3. It requires that the state assessment of student achievement be selected with direct input from education stakeholders and must specifically address the needs of students and citizens of the State; and
4. It removes the prohibition of a state assessment of student achievement from being aligned with the so-called common core state standards.

Senate Amendment "A" (S-219)

This amendment removes the provision that requires that personally identifying data of a student derived from a state assessment of student achievement be disseminated only with the express written permission of each of the student's parents or guardians or the student, if the student is of majority age.

Enacted Law Summary

Private and Special Law 2015, chapter 10 directs the Department of Education to terminate the State's membership in the Smarter Balanced Assessment Consortium and adopt a method of education assessment that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes or feelings. The law also requires that a state assessment of student achievement be developed for the 2015-2016 school year and each school year thereafter.

LD 1277 An Act To Establish a Magnet School for Marine Science, Technology, Transportation and Engineering

PUBLIC 363

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY LANGLEY	OTP-AM	H-314

This bill establishes the Maine School for Marine Science, Technology, Transportation and Engineering as a public magnet school for the purpose of providing certain high-achieving high school students with a challenging educational experience. The school will be located in the Town of Searsport and will serve students from throughout the State. Students from other states and countries may attend on a space-available basis. The bill also corrects a cross-reference.