

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> 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

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 First 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.

<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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 127<sup>th</sup> 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*

learning results and instead provides that a diploma indicating graduation must be based on student demonstration of proficiency in at least two content areas established under the system of learning results.

5. It provides that an endorsement of content area proficiency must be included in a student's academic transcript as an official credential of academic achievement of content area proficiency.

6. It directs the Department of Education to adopt or amend rules pursuant to Title 20-A, section 253, subsection 9 by December 31, 2015 in order to implement the new blended system beginning with the 2016-2017 school year.

**Committee Amendment "A" (H-352)**

This amendment, which is the minority report of the committee, incorporates a fiscal note.

**LD 1394 An Act To Implement the Recommendations of the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula**

**CARRIED OVER**

Sponsor(s)

Committee Report

Amendments Adopted

This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2013, chapter 114, section 10. The bill incorporates changes to the education statutes and rules proposed by the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula that the commission's report indicated are necessary to implement its recommendations.

The joint standing committee has not taken a position on the substance of the report or this bill, and by submitting this bill the joint standing committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the recommendations and the necessary changes to the Maine Revised Statutes, Title 20-A, included in the report or this bill. The committee is submitting the bill for the sole purpose of turning the proposals in the report into a printed bill that can be referred to the joint standing committee for an appropriate public hearing and subsequent processing in the normal course of business. The joint standing committee is taking this action to ensure clarity and transparency in the legislative review of the proposals included in the report submitted by the commission.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1396 An Act Regarding Educational Standards for Maine Students**

**Accepted Majority (ONTP) Report**

Sponsor(s)

Committee Report

Amendments Adopted

GERRISH  
EDGECOMB P

ONTP  
OTP-AM

This bill provides Maine students and teachers with high-quality content standards that have been demonstrated as some of the best state standards in the nation. The bill accomplishes the following with regard to the statewide content standards, statewide assessment programs, the comparison of recent and proposed content standards and statewide assessment programs and the release of personally identifiable data.

With regard to content standards, the bill:

## *Joint Standing Committee on Education and Cultural Affairs*

1. Prohibits the Department of Education from adopting and implementing the common core state standards, or any standards developed by any similar initiative process or program, as the State's content standards for English language arts and mathematics and voids any prior actions taken to adopt or implement the common core state standards;
2. Requires the Department of Education, within 90 days after the bill's effective date, to replace the content standards in English language arts, mathematics, science and social studies with new standards that are consistent with the standards adopted by Massachusetts prior to that state's adoption of the common core state standards, so that Maine's standards are, as much as possible, identical to those adopted by Massachusetts, except when a Maine context requires otherwise;
3. Specifies that the content standards that are based on the Massachusetts standards are effective for the 2016-2017, 2017-2018 and 2018-2019 school years only;
4. Requires the Department of Education, by June 30, 2017, to adopt new content standards for kindergarten and for each of grades one to 12 in English language arts, mathematics, science and social studies that are distinct and independent from the standards previously adopted by the Department of Education so that they are in place beginning with the 2019-2020 school year;
5. States that a school administrative unit is not required to use all or any part of the content standards adopted by the Department of Education;
6. Prohibits the Commissioner of Education from adopting any model curricula that are aligned with the content standards; and
7. Prohibits the Department of Education, the State Board of Education and any other state official, board or agency from adopting or revising any content standards in English language arts, mathematics, science or social studies until the new or revised standards are approved in accordance with the bill.

With regard to assessments, the bill:

1. Prohibits the Department of Education from using the assessments developed by the Smarter Balanced Assessment Consortium or the Partnership for Assessment of Readiness for College and Careers during the 2015-2016 school year or any school year thereafter; and also prohibits the department beginning with the 2015-2016 school year from using the assessments related to or based on the common core state standards by the Smarter Balanced Assessment Consortium, the Partnership for Assessment of Readiness for College and Careers or any other consortium of states working together to develop a set of assessments that measure whether students are on track to be successful in college and their careers;
2. For the 2015-2016 school year, requires the Department of Education to furnish and school administrative units and schools to administer the assessments for elementary and secondary schools that were administered during the 2013-2014 school year, including the New England Common Assessment Program for grades three to eight and the Maine High School Assessment testing program for grade 11 that includes the SATs in reading, mathematics and writing, as well as the Maine High School Assessment science test that was developed in collaboration with Measured Progress;
3. Requires the Department of Education to adopt or develop, not later than 90 days after the effective date of the bill, assessments for elementary and secondary schools in English language arts and mathematics that are aligned with the State's version of Massachusetts content standards for use only during the 2016-2017, 2017-2018 and 2018-2019 school years;
4. Requires the Department of Education to adopt or develop by June 30, 2019 assessments for elementary and

*Joint Standing Committee on Education and Cultural Affairs*

secondary schools in English language arts and mathematics that are aligned with the new standards for use during the 2019-2020 school year and each school year thereafter;

- 5. Specifies that the nationally standardized assessment that is required as part of the statewide educational assessment program must be a nationally recognized, norm-referenced assessment, instead of a nationally standardized assessment as under current law and adds the requirement that it measure college and career readiness; and
- 6. Requires that a school administrative unit excuse a student from standardized assessments at the written request of the student's parent or guardian and establishes requirements for school administrative units and the Department of Education related to excusing a student.

With regard to the comparison of standards and assessments, the bill:

- 1. Requires the Department of Education to compare and publish on its website a comparison of the new content standards in English language arts, mathematics, science and social studies that will be effective in the 2019-2020 school year with Maine's state standards and the parameters for essential instruction and graduation requirements and to submit a report to the Legislature and Governor outlining the results of the comparison of the standards; and
- 2. Requires the subcommittees in the content areas of English language arts, mathematics, science and social studies to compare the content standards in English language arts, mathematics, science and social studies with the content standards that were previously adopted by the Department of Education pursuant to Public Law 2009, chapter 313, section 19 and Public Law 2009, chapter 647, section 1.

With regard to the release of personally identifiable data, the bill:

- 1. Specifies that, if the Federal Government requires a grant recipient to provide personally identifiable information of students or teachers as a condition of a federal education grant relating to content standards, only aggregate data may be provided for that purpose; and
- 2. Prohibits a federal grant recipient from releasing personally identifiable information without informed written consent of the student's parent or guardian for a student's information or of the teacher for a teacher's information.

**Committee Amendment "A" (H-315)**

This amendment, which is the minority report of the committee, makes a technical change to the bill to reflect changes in law enacted by Public Law 2015, chapter 40.

<b>LD 1406</b>	<b>An Act To Implement the Recommendations of the Commission To Study College Affordability and College Completion</b>	<b>Died On Adjournment</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-163
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This emergency bill includes certain recommendations proposed by the Commission To Study College Affordability and College Completion for consideration by the Joint Standing Committee on Education and Cultural Affairs.

The joint standing committee has not taken a position on the substance of the report or this bill and by submitting this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the recommendations and the necessary changes to the Maine Revised Statutes, Title 20-A, chapter 419-A included in the report or this bill. The joint standing committee is submitting the bill for the sole purpose of turning the