

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

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
<http://legislature.maine.gov/legis/opla/>

MEMBERS:

SEN. BRIAN D. LANGLEY, CHAIR
SEN. PETER E. EDGECOMB
SEN. REBECCA J. MILLETT

REP. VICTORIA P. KORNFIELD, CHAIR
REP. MATTHEA E. LARSEN DAUGHTRY
REP. BRIAN L. HUBBELL
REP. RICHARD R. FARNSWORTH
REP. RYAN D. TIPPING-SPITZ
REP. TERESA S. PIERCE
REP. JOYCE A. MAKER
REP. MICHAEL D. MCCLELLAN
REP. MATTHEW G. POULIOT
REP. PAUL A. STEARNS

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.

LD 1641

An Act To Establish a Commission To Reform Public Education Funding and Improve Student Performance in Maine and Make Supplemental Appropriations and Allocations for the Expenditures of the Department of Education and To Change Certain Provisions of the Law Necessary to the Proper Operations of Government for the Fiscal Year Ending June 30, 2017

**PUBLIC 389
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K ALFOND J		

This bill was not referred to a committee.

The bill establishes a commission to reform public education funding and improve student performance in Maine. The bill provides supplemental appropriations and allocations from the unappropriated surplus to the General Purpose Aid for Local Schools program for the expenditures of the Department of Education during fiscal year 2016-17. The bill also makes changes to certain provisions of the education laws, including provisions in the Essential Programs and Services Funding Act under Title 20-A, Chapter 606-B, necessary for the operations of State Government beginning in fiscal year 2016-17.

Part A of the bill directs the Commissioner of Education or the commissioner's designee to convene, no later than May 1, 2016, a commission to reform public education funding and improve student performance in the State. The Commissioner of Education is directed to submit by January 10, 2017 and January 10, 2018 to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters a report of the commission that includes findings and recommendations for action to reform public education funding and improve student performance in Maine. Notwithstanding Joint Rule 353, the commissioner is authorized to submit to the Legislature a bill to implement the commission's recommendations.

Part B requires the State Controller to transfer \$15,000,000 in fiscal year 2016-17 from the General Fund unappropriated surplus to the General Purpose Aid for Local Schools program, General Fund account within the Department of Education.

Part C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2016-17, the state contribution and the annual target state share percentage. In addition, Part C accomplishes the following.

1. Under current law, the Commissioner of Education may report and pay to the Treasurer of State to be credited to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education no more than \$335,000 in fiscal year 2014-15 from fees for the initial issuance of and renewal of teacher, education specialist and administrator certificates. This Part extends that limitation to each fiscal year beyond fiscal year 2014-15.
2. This Part changes from fiscal year 2016-17 to fiscal year 2017-18 when the State must begin increasing the state share percentage of the funding for the cost of essential programs and services by at least one percentage point per year over the percentage of the previous year until the state share percentage of the total cost of funding public education from kindergarten to grade 12 reaches 55%.
3. It adds, beginning in fiscal year 2016-17, charter schools to the list of essential programs and services components to be reviewed.
4. It changes the deadline for the commissioner to make annual recommendations regarding the funding levels for essential programs and services from prior to December 15th of each year to prior to January 20th of each fiscal

Joint Standing Committee on Education and Cultural Affairs

year.

5. It strikes the provision of law that authorizes the commissioner, for school administrative units that annually demonstrate savings by purchasing supplies using an electronic bidding forum, to suspend all or a portion of the adjustment to the unit's state contribution.

Enacted Law Summary

Public Law 2015, chapter 389 establishes a commission to reform public education funding and improve student performance in Maine. The law provides supplemental appropriations and allocations from the unappropriated surplus to the General Purpose Aid for Local Schools program for the expenditures of the Department of Education during fiscal year 2016-17. The law also makes changes to certain provisions of the education laws, including provisions in the Essential Programs and Services Funding Act under Title 20-A, Chapter 606-B, necessary for the operations of State Government beginning in fiscal year 2016-17. The law accomplishes the following.

Part A directs the Commissioner of Education or the commissioner's designee to convene, no later than May 1, 2016, a commission to reform public education funding and improve student performance in the State. The Commissioner of Education is also directed to submit by January 10, 2017 and January 10, 2018 to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters a report of the commission that includes findings and recommendations for action to reform public education funding and improve student performance in Maine. Notwithstanding Joint Rule 353, the commissioner is authorized to submit to the Legislature a bill to implement the commission's recommendations.

Part B requires the State Controller to transfer \$15,000,000 in fiscal year 2016-17 from the General Fund unappropriated surplus to the General Purpose Aid for Local Schools program, General Fund account within the Department of Education.

Part C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2016-17, the state contribution and the annual target state share percentage. In addition, Part C accomplishes the following.

1. Under current law, the Commissioner of Education may report and pay to the Treasurer of State to be credited to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education no more than \$335,000 in fiscal year 2014-15 from fees for the initial issuance of and renewal of teacher, education specialist and administrator certificates. This Part extends that limitation to each fiscal year beyond fiscal year 2014-15.
2. This Part changes from fiscal year 2016-17 to fiscal year 2017-18 when the State must begin increasing the state share percentage of the funding for the cost of essential programs and services by at least one percentage point per year over the percentage of the previous year until the state share percentage of the total cost of funding public education from kindergarten to grade 12 reaches 55%.
3. It adds, beginning in fiscal year 2016-17, charter schools to the list of essential programs and services components to be reviewed.
4. It changes the deadline for the commissioner to make annual recommendations regarding the funding levels for essential programs and services from prior to December 15th of each year to prior to January 20th of each fiscal year.
5. It strikes the provision of law that authorizes the commissioner, for school administrative units that annually demonstrate savings by purchasing supplies using an electronic bidding forum, to suspend all or a portion of the adjustment to the unit's state contribution.

Public Law 2015, chapter 389 was enacted as an emergency measure effective March 10, 2016.