

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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STATE OF MAINE

128TH 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 128th 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 FINAL 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 128th Legislature is Wednesday, November 1, 2017. 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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2. Allow an educational institution that uses a proficiency-based grading system and offers an approved teacher preparation program to maintain at least an average proficiency rating for its students rather than a 3.0 average grade point average based on a 4.0 grade point system for its students.

This amendment was not adopted.

LD 826 **An Act To Prioritize the Renovation of Existing Underutilized Schools in
Conjunction with the Closing of Nearby Schools Due to Declining
Enrollment** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M STEWART H	ONTP	

This bill amends the laws governing the School Revolving Renovation Fund to add renovation and repurposing of underutilized space, when done in conjunction with closing a school, to the list of projects that qualify for Priority 1 status.

LD 840 **An Act To Expand Educational Opportunities for Students in the
Unorganized Territories** **Accepted Majority
(ONTP) Report**

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

This bill provides that the parent or guardian of a child residing in an unorganized unit that does not have an elementary school located in that unorganized unit may choose an elementary school in the State for that child to attend.

Committee Amendment "A" (H-393)

This amendment is the minority report of the committee. The amendment replaces the bill. The amendment provides that a student who resides in an unorganized territory that does not have an elementary school and who was a tuition student prior to the 2016-2017 school year must continue to be accepted as a tuition student at that student's current elementary school until that student is no longer eligible to attend an elementary school. The amendment also provides that the parent or guardian of the tuition student who resides in an unorganized territory must provide transportation to the elementary school that the student attends.

This amendment was not adopted.

LD 841 **An Act To Provide Stability in MaineCare Payments for Educational
Programming** **ONTP**

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

This bill amends the laws governing MaineCare payments for educational programming. Under current law, the Department of Education is authorized to pay on behalf of a school administrative unit allowable school-based costs that represent the school administrative unit's portion of MaineCare payments. Current law also provides that the department may then deduct that amount from the school administrative unit's state subsidy. This bill changes the

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law to provide that the department may not deduct from a school administrative unit's state subsidy such payments.

LD 862 *Resolve, To Establish a Pilot Program To Install Video Cameras in School Buses* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY J THIBODEAU M	ONTP	

This resolve directs the Department of Education to establish a pilot program with selected school administrative units to install video cameras in school buses and study the effectiveness of the cameras in assisting in the maintenance of order and safety on the school buses.

LD 863 *An Act To Create a Standard Kindergarten Entry Assessment* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M MILLETT R	ONTP	

This bill directs the Commissioner of Education to develop a standard assessment for kindergarten entry for use by all school administrative units beginning January 1, 2019.

LD 864 *An Act To Provide for a Statewide Contract for School Teachers* **Died Between Houses**

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

This bill provides for statewide collective bargaining for teachers beginning January 1, 2021. The bill directs the Department of Administrative and Financial Services to develop a plan to implement statewide collective bargaining for teachers and requires that the plan be designed to permit school administrative units to maintain local control and direction of teacher employment; to include for all public school teachers a uniform compensation system that is based upon performance results that are competitive and fair throughout the State; and to maximize opportunities for certain economies of scale through the statewide negotiation of teachers' benefits, including, but not limited to, health insurance. The department is directed to submit its plan, together with proposed implementing legislation, for introduction to the Second Regular Session of the 128th Legislature.

Committee Amendment "A" (H-496)

This amendment, which is the minority report of the committee, strikes and replaces the bill and changes the title. The amendment authorizes the State, upon the request of a school administrative unit, to act as the employer of employees of that school administrative unit, other than administrators, for the purpose of negotiating a contract for standard salary and standard benefits for these employees. Costs resulting from such bargaining agreements are the responsibility of the State and if funding is not approved, those cost items must be renegotiated. The authority for such negotiations is repealed 90 days after the adjournment of the First Regular Session of the 129th Legislature.

This amendment also requires regional school units to meet certain annual targets for the percentage share of total General Fund expenditures for direct instruction expenditures.