

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<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 2019

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# STATE OF MAINE

129<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 129<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.

*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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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 1283      Resolve, To Advance College Affordability by Convening a Task Force  
To Recommend a Sustainable Funding Model for Maintaining Maine's  
Public Higher Education Infrastructure**

**RESOLVE 65  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN E MILLETT R	OTP	

This resolve directs the Chancellor of the University of Maine System to convene a task force, to be named the Task Force To Recommend a Sustainable Funding Model for Maintaining Maine's Public Higher Education Infrastructure, to study how to provide adequate supplemental funding to sustain the State's public higher education infrastructure without burdening students who are residents of the State with unreasonable tuition and fee increases. The task force is directed to consider, but is not limited to considering, infrastructure improvements, health and safety repairs, technology improvements, energy efficiency and equipment upgrades and, when necessary, new construction. The task force is directed to report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs by January 2, 2020. The joint standing committees are authorized to submit legislation to the Second Regular Session of the 129th Legislature.

**Enacted Law Summary**

Resolve 2019, chapter 65 directs the Chancellor of the University of Maine System to convene a task force to recommend a sustainable funding model for maintaining maine's public higher education infrastructure and study how to provide adequate supplemental funding to sustain the State's public higher education infrastructure without burdening students who are residents of the State with unreasonable tuition and fee increases. The task force is directed to consider, but is not limited to considering, infrastructure improvements, health and safety repairs, technology improvements, energy efficiency and equipment upgrades and, when necessary, new construction. The task force is directed to report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs by January 2, 2020. The joint standing committees are authorized to submit legislation to the Second Regular Session of the 129th Legislature.

Resolve 2019, chapter 65 was finally passed as an emergency measure effective June 12, 2019.

**LD 1306      Resolve, To Examine Issues Relating to Bullying in Schools**

**RESOLVE 44**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE J GRAMLICH L	OTP-AM	S-105

This bill establishes the Safe School Climate Council, which is authorized to meet twice a year and to present to the joint standing committee of the Legislature having jurisdiction over education matters every two years recommendations on model policies to address bullying, harassment and overall safety in schools.

**Committee Amendment "A" (S-105)**

This amendment replaces the bill with a resolve that directs the Commissioner of Education to form a stakeholder group to comprehensively examine issues associated with bullying in schools and in particular how Maine's laws relating to bullying should be improved. The stakeholder group is required to include educators, administrators, students and experts on bullying in schools. By February 1, 2020, the commissioner is required to report on the findings and recommendations of the stakeholder group as well as the commissioner's recommendations for changes to laws relating to bullying to the Joint Standing Committee on Education and Cultural Affairs. The committee may report out a bill on the subject of the report to the Second Regular Session of the 129th Legislature.

## Joint Standing Committee on Education and Cultural Affairs

### Enacted Law Summary

Resolve 2019, chapter 44 directs the Commissioner of Education to form a stakeholder group to comprehensively examine issues associated with bullying in schools and in particular how Maine's laws relating to bullying should be improved. The stakeholder group is required to include educators, administrators, students and experts on bullying in schools. By February 1, 2020, the commissioner is required to report on the findings and recommendations of the stakeholder group as well as the commissioner's recommendations for changes to laws relating to bullying to the Joint Standing Committee on Education and Cultural Affairs. The committee may report out a bill on the subject of the report to the Second Regular Session of the 129th Legislature.

#### LD 1331 An Act To Amend the Student Information Privacy Act

ONTP

Sponsor(s)

FECTEAU J

Committee Report

ONTP

Amendments Adopted

This bill amends the Student Information Privacy Act by adding to the restrictions on the release of student data certain information that may not be disclosed without explicit consent from a student's parent or a court order.

#### LD 1338 An Act To Protect Teachers from Unfair Evaluations

PUBLIC 297

Sponsor(s)

MCCREA D  
MILLETT R

Committee Report

OTP-AM

Amendments Adopted

H-400

This bill removes the requirement in current law that the criteria to establish the order of layoff and recall of teachers must include the teacher's effectiveness rating as a factor. It also amends the provisions in current law governing the use of teacher effectiveness ratings.

#### Committee Amendment "A" (H-400)

This amendment strikes and replaces the bill and provides that, in any negotiated agreement, the criteria negotiated by the school board and the bargaining agent to establish the order of layoff and recall may include the teacher's effectiveness rating as a factor.

This amendment also provides that, subject to appeal or grievance under the terms of an applicable collective bargaining agreement, receipt of summative effectiveness ratings indicating that a teacher is ineffective for two consecutive years constitutes just cause for nonrenewal of a teacher's contract as long as there is a reasonable basis in fact for the effectiveness ratings, the evaluation process leading to the effectiveness ratings has been performed in a manner reasonably consistent with the approved system and department rules and the effectiveness ratings are not the result of bad faith.

This amendment also provides that there is no right to an appeal or grievance of a summative effectiveness rating unless the summative effectiveness rating is used by the employer as a basis for a disciplinary action and provides that a teacher has the opportunity to provide a written response to any summative effectiveness rating issued to the teacher.

### Enacted Law Summary

Public Law 2019, chapter 297 makes the following changes the law regarding the use of a teacher's effectiveness rating.