

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

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

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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 129th 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 129th 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

1. 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.
2. 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.
3. 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.

LD 1341

An Act To Provide Flexibility for Efficient and Effective Management of School Management and Leadership Centers

PUBLIC 219

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KORNFIELD V GRATWICK G	OTP-AM	H-325

This bill amends the Maine Revised Statutes, Title 20-A, chapter 123, regarding school management and leadership centers, and related laws as follows:

1. Changes the term "school management and leadership center" to the term "regional service center;"
2. Amends the law governing the geographic boundaries of centers to remove the requirement that the Commissioner of Education must determine 9 to 12 geographic areas for the establishment of centers with the requirement that the commissioner must determine the geographic areas for the establishment of centers;
3. Allows a center to contract for leadership services and hire a fiscal agent;
4. Changes the law allowing a center to borrow funds by removing language requiring debts to be repaid within one year and limiting amounts borrowed to 3/4 of a center's annual approved budget;
5. Amends the law governing the withdrawal of a member school administrative unit from a center to replace the requirement that the member school administrative unit must demonstrate there will be no increases in costs or decrease in student programs or services with the requirement that the member school administrative unit must demonstrate that the withdrawal is in the best interests of the withdrawing school administrative unit and of any of the remaining member school administrative units;
6. Amends the law governing dissolution of centers to replace the requirement that member school administrative units must demonstrate to the Commissioner of Education that there will be no increase in costs or decrease in student programs and services for any of the member school administrative units of a center with the requirement that the school administrative units must demonstrate that it is in the best interests of the member school administrative units to dissolve the center;
7. Amends the law governing application for and approval of a center to replace voter approval with school board approval; and
8. Amends the law governing state funding of a center that provides at least two different services to its members to

Joint Standing Committee on Education and Cultural Affairs

include 55% funding support for contracted leadership services and financial software.

Committee Amendment "A" (H-325)

This amendment retains the substance of the bill but changes the name of regional service centers to education service centers, defines "benefits," includes public charter schools as eligible to be members of education service centers rather than associate members and caps the direct state funding for the provider of leadership services or the executive director to 55% of the statewide average superintendent's salary and benefits using the most recent data available.

Enacted Law Summary

Public Law 2019, chapter 219 amends the laws regarding school management and leadership centers as follows:

1. Changes the term "school management and leadership center" to the term "education service centers;"
2. Includes public charter schools as eligible to be members of education service centers rather than associate members;
3. Amends the law governing the geographic boundaries of centers to remove the requirement that the Commissioner of Education must determine nine to 12 geographic areas for the establishment of centers with the requirement that the commissioner must determine the geographic areas for the establishment of centers;
4. Allows a center to contract for leadership services and hire a fiscal agent;
5. Changes the law allowing a center to borrow funds by removing language requiring debts to be repaid within one year and limiting amounts borrowed to 3/4 of a center's annual approved budget;
6. Amends the law governing the withdrawal of a member school administrative unit from a center to replace the requirement that the member school administrative unit must demonstrate there will be no increases in costs or decrease in student programs or services with the requirement that the member school administrative unit must demonstrate that the withdrawal is in the best interests of the withdrawing school administrative unit and of any of the remaining member school administrative units;
7. Amends the law governing dissolution of centers to replace the requirement that member school administrative units must demonstrate to the Commissioner of Education that there will be no increase in costs or decrease in student programs and services for any of the member school administrative units of a center with the requirement that the school administrative units must demonstrate that it is in the best interests of the member school administrative units to dissolve the center;
8. Amends the law governing application for and approval of a center to replace voter approval with school board approval;
9. Amends the law governing state funding of a center that provides at least two different services to its members to include 55% funding support for contracted leadership services and financial software; and
10. Caps the direct state funding for the provider of leadership services or the executive director to 55% of the statewide average superintendent's salary and benefits, as defined, using the most recent data available.