

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

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STAFF:

HILLARY RISLER, LEGISLATIVE ANALYST
KAREN S. NADEAU, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

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STATE OF MAINE

129TH LEGISLATURE
FIRST 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 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

Enacted Law Summary

Public Law 2019, chapter 531 delays the termination date of the Maine School for Marine Science, Technology, Transportation and Engineering, also known as the Ocean School, to 90 days after adjournment of the Second Regular Session of the 129th Legislature.

Public Law 2019, chapter 531 was enacted as an emergency measure effective August 30, 2019.

LD 1855 An Act To Include Student Absences for Mental Health or Behavioral Health Needs as Excusable Absences

PUBLIC 562

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| MCCREIGHT J CLAXTON N | OTP-AM ONTP | H-671 |

Current law provides that a person's absence from school is excused when the absence is due to personal illness. This bill specifies that a person's absence is excused when the absence is due to reasons of personal health, including the person's mental and behavioral health.

Committee Amendment "A" (H-671)

This amendment specifies that a person's absence from school is excused when the absence is due to reasons of physical health, as well as the person's mental and behavioral health.

Enacted Law Summary

Public Law 2019, chapter 562 specifies that a person's absence from school is excused when the absence is due to reasons of physical health, as well as the person's mental and behavioral health.

LD 1857 An Act To Protect Teachers from Punitive or Retaliatory Transfers

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MCCREAD MILLETTR | ONTP | |

This bill prohibits the transfer of a teacher to another location or teaching assignment for a punitive or retaliatory reason without the teacher's consent. It authorizes a teacher who has been involuntarily transferred to request a hearing with the school board and requires the school board to reverse the transfer if the teacher demonstrates that the transfer was for a punitive or retaliatory reason.

LD 1858 An Act To Protect Teachers from Professional Teacher Certificate Endorsement Changes

PUBLIC 584

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MCCREAD MILLETTR | OTP-AM | H-676 |

This bill provides that a rule adopted by the State Board of Education that amends specifications for grades or subject areas endorsements for a professional teacher certificate does not apply to the endorsements on a professional teacher certificate held by a person if the endorsements were issued prior to or during the school year

Joint Standing Committee on Education and Cultural Affairs

preceding the adoption of the rules and that a teacher may renew the teacher's professional teacher certificate with the same grades and subject areas endorsements as were originally issued to that teacher.

Committee Amendment "A" (H-676)

This amendment provides that an amendment to the teacher certification rules that revises the qualifications for a credential or the grades or subject area endorsements for a professional teacher certificate does not apply to:

1. A person who held an active credential or endorsement during the school year preceding the adoption of revisions to the rules;
2. A person who held an active conditional certificate during the school year preceding the adoption of revisions to the rules;
3. A person who has completed an educator preparation program and who has qualified for a recommendation for certification as a teacher during the school year preceding the adoption of revisions to the rules;
4. A person enrolled in an educator preparation program during the school year preceding the adoption of revisions to the rules; or
5. A person who began the application process for professional teacher certification with the Department of Education during the school year preceding the adoption of revisions to the rules.

The amendment also clarifies that if a rule amends the endorsement specifications for grades or subject areas for a teacher's professional teacher certificate, the teacher may renew the teacher's professional teacher certificate with the same grades and subject areas endorsements as were issued with the active professional teacher certificate that is held by the teacher at the time of the amendment.

Enacted Law Summary

Public Law 2019, chapter 584 provides that an amendment to the teacher certification rules that revises the qualifications for a credential or the grades or subject area endorsements for a professional teacher certificate does not apply to:

1. A person who held an active credential or endorsement during the school year preceding the adoption of revisions to the rules;
2. A person who held an active conditional certificate during the school year preceding the adoption of revisions to the rules;
3. A person who has completed an educator preparation program and who has qualified for a recommendation for certification as a teacher during the school year preceding the adoption of revisions to the rules;
4. A person enrolled in an educator preparation program during the school year preceding the adoption of revisions to the rules; or
5. A person who began the application process for professional teacher certification with the Department of Education during the school year preceding the adoption of revisions to the rules.

Public Law 2019, chapter 584 also provides that if an amendment to the teacher certification rules amends the endorsement specifications for grades or subject areas for a teacher's professional teacher certificate, the teacher may renew the teacher's professional teacher certificate with the same grades and subject areas endorsements as were issued with the active professional teacher certificate that is held by the teacher at the time of the amendment.