

# 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**  
128<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 2017

**STAFF:**

PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST  
ALYSON MAYO, 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. JOYCE A. MAKER  
SEN. REBECCA J. MILLETT

REP. VICTORIA P. KORNFIELD, CHAIR  
REP. MATTHEA E. LARSEN DAUGHTRY  
REP. RICHARD R. FARNSWORTH  
REP. TERESA S. PIERCE  
REP. ROGER JASON FULLER  
REP. DAVID HAROLD MCCREA  
REP. PHYLLIS A. GINZLER  
REP. BETH PELOQUIN TURNER  
REP. HEIDI H. SAMPSON  
REP. HAROLD L. STEWART III

# STATE OF MAINE

128<sup>TH</sup> 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 128<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 128<sup>th</sup> 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.

*Joint Standing Committee on Education and Cultural Affairs*

This bill provides that a person five years of age or older who is enrolled in public day school is required to attend during the time it is in regular session. The bill provides that a person five years of age or older and under seven years of age may withdraw from school at any time within the 45 days after enrollment and may withdraw from school after 45 days after enrollment after consultation with the school board or its designee. The bill provides that students who are at least five years of age and enrolled in a public day school are subject to the same provisions regarding truancy as students who are at least seven years of age and have not completed grade six who are required to attend a public day school. The bill provides that a person five years of age or older and under seven years of age is not required to meet the alternatives to attendance requirements set forth in the Maine Revised Statutes, Title 20-A, section 5001-A, subsection 3.

**Committee Amendment "A" (S-28)**

This amendment is the majority report of the committee. The amendment removes the 45-day withdrawal period provisions from the bill and provides that unless a person five years of age or older and under seven years of age who is enrolled in public day school withdraws from the school, the person is required to attend public day school during the time it is in session.

**LD 127      Resolve, Regarding Legislative Review of Portions of Chapter 101:  
Maine Unified Special Education Regulation Birth to Age 20, a Major  
Substantive Rule of the Department of Education**

**RESOLVE 12  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-225

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-225)**

This amendment provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

**Enacted Law Summary**

Resolve 2017, chapter 12 provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

Resolve 2017, chapter 12 was finally passed as an emergency measure effective June 2, 2017.

**LD 129      An Act To Include Locally Funded School Construction Projects in the  
School Funding Formula**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A SIROCKI H	ONTP	

This bill amends the definition of debt service costs to include, for purposes of the school funding formula, the cost of locally funded major capital projects for school construction that are not approved by the State Board of Education.