

# 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 amendment, which is the majority report of the committee, strikes the part of the bill that requires a notation to be made on the transcript of a postsecondary student who is convicted of sexual assault. This amendment requires the Commissioner of Education to review the content standards and performance indicators for the content area of health, physical education and wellness, including instruction on affirmative consent, communication and decision making regarding sexual activity and the effects of alcoholic drinks, stimulants and narcotics on the ability to give affirmative consent, communicate and make appropriate decisions, during the 2017-2018 school year as part of the commissioner's five-year review cycle of the content standards and performance indicators required under the system of learning results.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 682      An Act To Eliminate the Regional Adjustment for Public School Systems      ONTP**

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

This bill removes the regional adjustment in the total operating allocation for schools under the Essential Programs and Services Funding Act.

**LD 736      An Act To Create Equity in Funding of Rural Schools      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D SAMPSON H	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

The bill proposes to create equity in funding of rural schools by examining the funding of the most disadvantaged school administrative units under the school funding formula and determining how best to provide financial resources to better assist these school administrative units.

**LD 737      An Act To Allow Public Schools To Reserve Funds Designated for Operating Costs      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEARNS P	OTP-AM ONTP	H-371

This bill allows a school administrative district to establish a reserve fund for operating costs of the school administrative district, including salary and benefits.

**Committee Amendment "A" (H-371)**

This amendment is the majority report of the committee. The amendment adds a provision authorizing a school administrative district to establish a reserve fund for operating costs and to expend money from the reserve fund by including a request in the district budget and receiving voter approval of a referendum article at a district meeting or a district budget meeting.