

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128th 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 1656 An Act To Allow Veterans Free Admission to the Maine State Museum

PUBLIC 370

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E THIBODEAU M	OTP-AM ONTP OTP-AM	H-606

This bill provides for free admission to the Maine State Museum for veterans by directing the Commissioner of Defense, Veterans and Emergency Management to issue a free admission pass to any eligible veteran in accordance with a memorandum of agreement with the Maine State Museum.

Committee Amendment "B" (H-607)

This amendment is the minority report of the committee and strikes and replaces the bill. This amendment directs the Maine State Museum Commission to ensure that all fees for admission to the Maine State Museum are waived for residents of this State who have served on active duty in the United States Armed Forces or have served in the National Guard, Reserves of the United States Armed Forces or merchant marine of the United States.

Committee Amendment "A" (H-606)

This amendment is the majority report of the committee and incorporates a fiscal note.

Enacted Law Summary

Public Law 2017, chapter 370 establishes a free admission pass for eligible veterans to the Maine State Museum. Eligibility is determined by the Commissioner of Defense, Veterans and Emergency Management in accordance with a memorandum of agreement with the Maine State Museum. A veteran is eligible if the person is a resident of this State and received an honorable discharge or general discharge under honorable conditions.

LD 1666 An Act To Ensure the Successful Implementation of Proficiency-based Diplomas by Extending the Timeline for Phasing in Their Implementation

PUBLIC 466

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KORNFIELD T	OTP-AM OTP-AM	H-777 H-797 KORNFIELD T

This bill was carried over from the Second Regular Session of the 128th Legislature to the First Special Session by joint order S.P. 748.

This bill delays by one year the timeline for the implementation of proficiency-based diplomas.

Committee Amendment "A" (H-777)

This amendment is the majority report of the committee. The amendment replaces the bill to provide that the statutes related to the proficiency-based diploma standard and transcript provisions in the Maine Revised Statutes, Title 20-A, section 4722-A may be implemented by schools. The amendment also provides that the proficiency-based diploma standard and transcript rules adopted by the Commissioner of Education pursuant to Title 20-A, section 4722-A are changed from routine technical rules to major substantive rules. This amendment also adds an appropriations and allocations section.

Committee Amendment "B" (H-778)

Joint Standing Committee on Education and Cultural Affairs

This amendment is the minority report of the committee. The amendment retains the bill's provisions to delay by one year the timeline for the implementation of proficiency-based diplomas. The amendment makes several changes to the implementation of the proficiency-based system, including:

1. Refining the provisions regarding the exceptions for students with disabilities to be awarded a proficiency-based diploma; and
2. Strengthening the provisions for career and technical education students to meet the proficiency-based diploma requirements within the context of the career and technical education curriculum, including career and technical education programs and courses as defined in the Department of Education's rules.

The amendment also requires that the Department of Education provide technical assistance to school administrative units in implementing proficiency-based systems, including providing definitions of proficiency, establishing criteria for ensuring that the intents and purposes of a proficiency-based system are achieved, developing model course descriptions and developing training resources for use in training educators.

House Amendment "A" To Committee Amendment "A" (H-797)

This amendment strikes the appropriations and allocations section.

Enacted Law Summary

Public Law 2017, chapter 466 amends the statutes related to the proficiency-based diploma standard and transcript provisions in the Maine Revised Statutes, Title 20-A, section 4722-A to provide that the proficiency-based diploma standard and transcript provisions may be implemented by schools. The law also provides that the proficiency-based diploma standard and transcript rules adopted by the Commissioner of Education pursuant to Title 20-A, section 4722-A are changed from routine technical rules to major substantive rules.

LD 1684 An Act Regarding Meals in Public Schools

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER J TUELL W	OTP-AM ONTP	S-413

This bill was carried over on the Special Appropriations Table from the Second Regular Session of the 128th Legislature to the next special session by joint order S.P. 748.

The bill does the following.

1. It requires a public school that provides free and reduced-price meals or other meals to students pursuant to the Maine Revised Statutes, Title 20-A, chapter 223, subchapter 7 or otherwise provides to students meals eligible for reimbursement under a program administered by the United States Department of Agriculture to provide such a meal to a student who requests the meal and is otherwise eligible for the meal regardless of the student's inability to pay for the school meal or failure in the past to pay for school meals. It also requires the school to take certain actions to assist the parent or guardian of a student who requests such a meal.
2. It prohibits a public school from punishing a student in certain ways solely because of the student's inability to pay for a meal or because of any payments due for previous meals. It also prohibits a public school from refusing a meal to a student as a form of or as part of a disciplinary action.
3. It prohibits a public school from openly identifying or stigmatizing a student who cannot pay for a meal or who