

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**

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STAFF:

PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST
HILLARY RISLER, 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

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

This bill strikes the provisions in current law that define the organizational makeup of career and technical education centers and regions and instead authorizes the Department of Education to adopt rules that define the organizational makeup of career and technical education centers and regions. The bill clarifies that a satellite program may be affiliated with a region.

LD 1749 An Act To Shorten the Residency Requirements for In-state Tuition ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D HANLEY J	ONTP	

This bill provides that the University of Maine System, Maine Community College System and Maine Maritime Academy may not require a student to have been a resident of this State for longer than one year to be eligible for in-state tuition.

LD 1756 An Act To Allow The Maine Educational Center for the Deaf and Hard of Hearing and Governor Baxter School for the Deaf To Lease Space to Maine's Protection and Advocacy Agency for Persons with Disabilities PUBLIC 413 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T	OTP-AM ONTP	H-577

This bill allows the Department of Administrative and Financial Services to enter into lease agreements to lease school property at the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf on Mackworth Island to the State's protection and advocacy agency for persons with disabilities.

Committee Amendment "A" (H-577)

This amendment is the majority report of the committee. This amendment clarifies in the emergency preamble that the bill is consistent with the Governor Baxter deed of gift and clarifies that any funds received pursuant to the provision of law that allows the Department of Administrative and Financial Services to lease facilities of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to the State's protection and advocacy agency for persons with disabilities must be treated in accordance with this section.

Enacted Law Summary

Public Law 2017, Chapter 413, permits the Department of Administrative and Financial Affairs to enter into lease agreements to lease school property at the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf on Mackworth Island to the State's protection and advocacy agency for persons with disabilities.

Public Law 2017, Chapter 413 was enacted as an emergency measure effective May 2, 2018.

LD 1761 An Act Regarding the Prohibition on the Possession of a Firearm on School Property Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J JACKSON T	ONTP OTP	

Joint Standing Committee on Education and Cultural Affairs

This bill provides that the prohibition in current law on the possession of a firearm on public school property or the property of an approved private school does not apply to a person who possesses a firearm in a motor vehicle as long as the person is dropping off or picking up a student and remains in the vehicle and, in accordance with the federal Gun-Free School Zones Act of 1990, the firearm is not loaded and is in either a locked container or a locked firearms rack.

LD 1829 An Act To Amend the Laws Governing Education

PUBLIC 381

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART H	OTP-AM	H-694 S-427 LANGLEY B

This bill makes the following changes to the laws governing education.

1. It changes the procedure and date for reporting adult education funding levels.
2. It changes the duties of teachers and parents when a student is a public health threat. It allows a superintendent to consult with the school nurse upon being informed by a teacher that a student is a public health threat.
3. It eliminates the Maine Online Learning Program.
4. It directs the Commissioner of Education to collaborate with the school nurse consultant to adopt rules and provide school administrative units with a copy of these rules and guidance regarding the screening of students for sight and hearing defects. It removes the requirement that the commissioner furnish to administrators of school administrative units the prescribed directions for the sight and hearing tests of students. It requires the commissioner to furnish guidance, training and sample report and referral forms in connection with these tests. It removes a reference to religious grounds from the provision governing exempt students to provide that a student whose parent objects in writing to screening may not be screened unless a sight or hearing defect is reasonably apparent.
5. It removes the requirement that a school nurse or trained screener collect body mass index data from students and report this data in the aggregate to the Department of Health and Human Services, Maine Center for Disease Control and Prevention.
6. It requires a school board to appoint appropriate school staff to inform a parent of a student suffering from a suspected disease or defect based on results of a screening.
7. It removes enrichment courses from the definition of "adult education."
8. It changes the provisions for issuance of high school equivalency diplomas.
9. It specifies criteria that must be met in order for the Commissioner of Education to grant a waiver to allow a student who has reached 20 years of age before the start of the school year to be enrolled as a public secondary school student. It repeals the provisions of law that allow a person to obtain such a waiver effective July 1, 2020.
10. It amends the laws governing the employment of conditionally certified persons to provide that the requirement that a school administrative unit provide professional development and intensive supervision applies only to teachers and not to educational specialists.
11. It amends the laws governing qualifications for a professional teacher certificate to require that a person who