

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> 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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# STATE OF MAINE

128<sup>TH</sup> 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 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> 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***

2. It does not incorporate language proposed in Senate Amendment "B" regarding the dissolution for a school administrative unit to withdraw from a school management and leadership center, or provisions for the merging of bargaining units.
3. It changes the mill expectation from 8.49 to 8.48.
4. It increases the allocation for career and technical education costs by \$2,000,000.
5. It decreases the allocation for alignment of career and technical education programs with national industry standards by \$2,000,000.
6. It makes changes to the total cost of funding public education from kindergarten to grade 12 and to the local contribution to the total cost of funding public education from kindergarten to grade 12.
7. It provides that for the purposes of calculating the total allocation for a career and technical education center or career and technical education region, to the extent that funding under the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 1 allows, any cap on the total allocation does not apply for the fiscal year beginning July 1, 2018 and ending June 30, 2019 only.

**Enacted Law Summary**

Public Law 2017, chapter 446 establishes the total cost of funding public education from kindergarten to grade 12, the state contribution and the local contribution for fiscal year 2018-19. The bill makes several changes to the total cost of funding public education from kindergarten to grade 12, the state contribution and the local contribution for fiscal year 2018-19, including:

1. It changes the mill expectation from 8.49 to 8.48.
2. It increases the allocation for career and technical education costs by \$2,000,000.
3. It decreases the allocation for alignment of career and technical education programs with national industry standards by \$2,000,000.
4. It makes changes to the total cost of funding public education from kindergarten to grade 12 and to the local contribution to the total cost of funding public education from kindergarten to grade 12.
5. It provides that for the purposes of calculating the total allocation for a career and technical education center or career and technical education region, to the extent that funding under the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 1 allows, any cap on the total allocation does not apply for the fiscal year beginning July 1, 2018 and ending June 30, 2019 only.

Public Law 2017, chapter 446 was enacted as an emergency measure effective July 8, 2018.

**LD 1870**

**Resolve, To Create the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services**

**Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY B	OTP-AM OTP-AM	S-457 S-479 MILLETT R

This bill was reported out of committee in the Second Regular Session of the 128th Legislature as a resolve then carried over on the Special Appropriations Table from the Second Regular Session to the next special session by

## *Joint Standing Committee on Education and Cultural Affairs*

joint order S.P. 748.

This bill moves responsibility for providing special education and related services for children who are at least three years of age and under six years of age, over a two-year transition period, from the Child Development Services System, state intermediate educational unit to the school administrative units of residence of the children. Under the bill, beginning July 1, 2018, a school administrative unit that is the unit of residence for a child with a disability who is at least three years of age and under six years of age may become responsible for providing special education and related services to that child through the implementation of an early adopter program. The bill amends several sections of law by removing references to the Child Development Services System.

The bill eliminates the Child Development Services System and moves the entire responsibility for providing services to children from birth to under three years of age to the Department of Education's office of special services. The funding plan continues the present arrangement of full responsibility for costs being shared by state funds, federal funds, the MaineCare program and private insurers.

The intent of the changes to the Child Development Services System statutes are based on the belief that children with disabilities are best served by their local communities; children do better when there are fewer transition points; there are efficiencies that can be achieved by eliminating duplicative state functions and by maximizing existing services and facilities at the local level; and the State should continue its current practice of funding all services for preschool children with disabilities that are not paid for with federal funds, through the MaineCare program or from private sources.

### **Committee Amendment "A" (S-457)**

This amendment, which is the majority report of the committee, strikes and replaces the bill with a resolve establishing the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services to examine the national trends and relevant models of governing and delivering early childhood special education systems and the short-term and long-term costs and benefits to the Department of Education's proposed plan to restructure the Child Development Services System and to make recommendations for an early childhood special education services program plan. The amendment also adds an appropriations and allocations section to provide \$3,700,000 in the second year of the biennium to address the Child Development Services System budgetary shortfall.

### **Committee Amendment "B" (S-458)**

This amendment, which is the minority report of the committee, strikes and replaces the bill with a \$3,700,000 appropriation in the second year of the biennium to address the Child Development Services System budgetary shortfall.

### **Senate Amendment "A" To Committee Amendment "A" (S-479)**

This amendment reduces the number of members on the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services from 23 to 20 and changes the appointing authority for one of the members.

The contents of this resolve as amended by Committee Amendment "A" and Senate Amendment "A" were incorporated by the Appropriations and Financial Affairs Committee as "Part L" of its amendment to LD 925, which was enacted as Public Law 2017, chapter 460.