

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2019

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STATE OF MAINE

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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 136 An Act To Establish a Special Education Circuit Breaker
Reimbursement Program**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUDNICKI S		

This bill establishes the special education circuit breaker reimbursement program, in which the Department of Education reimburses school administrative units, for a student whose eligible special education costs exceed four times the statewide EPS per-pupil rate, 75% of the amount of the special education costs that are above four times the statewide EPS per-pupil rate. The bill requires the department to distribute reimbursements to eligible school administrative units on a quarterly basis, and the reimbursements must be deposited in a separate revolving account that may be spent only on approved special education services.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 137 An Act To Make the Maine Learning Technology Initiative More
Cost-effective**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUDNICKI S	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to make the Department of Education's Maine Learning Technology Initiative, or "MLTI," more cost-effective for schools and for the State, thus allowing participation by increased numbers of students. The cost-saving measures may include, but are not limited to, eliminating the ability of school administrative units to choose higher-cost technology options.

LD 150 An Act To Improve Attendance at Public Elementary Schools

PUBLIC 235

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N	OTP-AM	S-35

This bill provides that unless a person five years of age or older and under seven years of age who is enrolled in a public day school withdraws from the school, the person is required to attend the school during the time it is in session. It provides that students who are at least five years of age and have not completed grade six and are 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. It 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-35)

This amendment clarifies that the provisions of the bill relating to persons attending schools outside of the unorganized territory also apply to a person who resides in the unorganized territory. The amendment provides that unless a person in the unorganized territory five years of age or older and under seven years of age who is enrolled in a public day school withdraws from the school, the person is required to attend the school during the time it is in

Joint Standing Committee on Education and Cultural Affairs

session. It provides that students in the unorganized territory who are at least five years of age and have not completed grade six and are 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. It provides that a person in the unorganized territory 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 3271, subsection 2.

Enacted Law Summary

Public Law 2019, chapter 235 provides that unless a person five years of age or older and under seven years of age who is enrolled in a public day school withdraws from the school, the person is required to attend the school during the time it is in session. The law also applies to a person who resides in the unorganized territory.

The law also provides that students who are at least five years of age and have not completed grade six and are 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 law provides that a person five years of age or older and under seven years of age who resides outside the unorganized territory 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 and a person in the unorganized territory 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 3271, subsection 2.

Compare LD 151, which was enacted as Public Law 2019, chapter 508.

Public Law 2019, chapter 508 amended Public Law 2019, chapter 235 to avoid the enactment of conflicting statutory provisions by changing the age at which children must begin attending school from five years of age to six years of age.

LD 151 An Act To Align State Law with Current Practice Regarding Required School Attendance

PUBLIC 508

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R KORNFIELD V	OTP-AM ONTP	S-30 S-324 BREEN C

This bill changes the age at which children are required to begin attending school from seven years of age to six years of age.

Committee Amendment "A" (S-30)

This amendment, which is the majority report of the committee, requires the Commissioner of Education to provisionally adopt amendments to the Department of Education rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to address developmentally appropriate educational practices for kindergarten to grade two.

Senate Amendment "A" To Committee Amendment "A" (S-324)

In order to avoid the enactment of conflicting statutory provisions, this amendment amends recently chaptered law regarding the age at which children must begin attending school to be consistent with the bill's establishment of that age as six years of age.

Enacted Law Summary

Public Law 2019, chapter 508 changes the age at which children are required to begin attending school from seven years of age to six years of age. Public Law 2019, chapter 508 also amended Public Law 2019, chapter 235 (see LD