

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee may report out legislation on the subject matter of the report to the First Regular Session of the 131st Legislature.

Sec. 7. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Professional Development Grant Pilot Program N342

Initiative: Provides funds in fiscal years 2021-22 and 2022-23 only for a 2-year pilot program that provides grants to local education agencies for professional development in computer science instruction.

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

Professional Development Grant Pilot Program Fund N355

Initiative: Provides base allocations for a 2-year pilot program that provides grants to local education agencies for professional development in computer science instruction to authorize the expenditure of funds in the event funds are received from federal funding sources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

Professional Development Grant Pilot Program Fund N355

Initiative: Provides base allocations for a 2-year pilot program that provides grants to local education agencies for professional development in computer science instruction to authorize the expenditure of funds in the event funds are received from outside funding sources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$50,000	\$50,000
FEDERAL EXPENDITURES FUND	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	\$500	\$500

DEPARTMENT TOTAL - ALL FUNDS	\$51,000	\$51,000
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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 6, 2021.

CHAPTER 103

S.P. 108 - L.D. 247

Resolve, To Reestablish the Commission To Study College Affordability and College Completion

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to allow the commission established in this resolve sufficient time to complete its work; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission To Study College Affordability and College Completion, referred to in this resolve as "the commission," is established.

Sec. 2. Membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 14 members as follows:

1. The President of the Senate shall appoint:
 - A. Two members of the Senate who serve on the Joint Standing Committee on Education and Cultural Affairs, including one member of the party holding the largest and one member of the party holding the 2nd largest number of seats in the Legislature;
 - B. One person representing a statewide association of independent higher education institutions;
 - C. One person representing a statewide association of student financial aid directors; and
 - D. One person who is a school counselor in a public high school in the State and who is involved in advising high school students on college admissions and financial aid;
2. The Speaker of the House shall appoint:

A. Three members of the House of Representatives who serve on the Joint Standing Committee on Education and Cultural Affairs, including 2 members of the party holding the largest and one member of the party holding the 2nd largest number of seats in the Legislature;

B. One person with expertise in higher education policy issues representing a nonprofit entity in the State that provides financial assistance to students or to high schools to assist students with college enrollment; and

C. One person with expertise in higher education policy issues representing a statewide education policy research institute;

3. The Chancellor of the University of Maine System or the chancellor's designee;

4. The President of the Maine Community College System or the president's designee;

5. The President of the Maine Maritime Academy or the president's designee; and

6. The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than 30 days following the appointment of all members.

Sec. 5. Duties. Resolved: That the commission shall review the work of the 2014 Commission To Study College Affordability and College Completion, as established by Resolve 2013, chapter 109, and examine and make recommendations on the development of strategies to keep the cost of public postsecondary education in the State affordable and to increase the graduation rate of students enrolled in state-supported public institutions of higher education. In developing strategies and reviewing related cost issues, the commission shall:

1. Examine and update the Maine college affordability gap analysis conducted as part of the work of the 2014 commission;

2. Review average debt incurred by students graduating from community colleges and public universities in the State, the Maine Maritime Academy and private

universities in the State with 2-year and 4-year undergraduate degrees;

3. Review average debt incurred by students who begin but do not complete courses of study at community colleges and public universities in the State, the Maine Maritime Academy and private universities in the State and who do not transfer elsewhere to complete a course of study;

4. Review average debt incurred by students completing courses of study from, or attending but not completing courses of study from, institutions offering credentials of value other than 2-year or 4-year undergraduate degrees, not including graduate degrees;

5. Examine the impact of student loan debt on borrowers;

6. Examine the capacity of high school counselors and academic advisors in high schools in the State to adequately advise students regarding their options for postsecondary education, including career and technical education, and financing of postsecondary education; and

7. Examine the potential impacts of no-cost community college education on the workforce of in the State.

Sec. 6. Staffing assistance; information. Resolved: That, notwithstanding Joint Rule 353, the University of Maine System, the Maine Community College System and the Maine Maritime Academy shall provide staffing assistance to the commission. The Finance Authority of Maine shall provide the commission with access to any nonconfidential aggregate information in its student financial assistance database for postsecondary education students in the State necessary to carry out the duties pursuant to section 5. At the request of the commission, the Legislative Council may provide drafting assistance to the commission during a regular or special session and other staff support to the commission when the Legislature is not in regular or special session.

Sec. 7. Report; recommendations. Resolved: That, notwithstanding Joint Rule 353, the commission shall submit a report containing its findings and recommendations pursuant to section 5, including any recommendations for legislation, to the Joint Standing Committee on Education and Cultural Affairs by January 2, 2022. The joint standing committee may submit a bill related to this report to the Second Regular Session of the 130th Legislature.

Sec. 8. Outside funding for commission activities. Resolved: That the commission may, but is not required to, seek outside funds to provide staff support, consulting or other services or to fund the costs of carrying out the duties and requirements of the commission. Contributions to support the work of the commission may not be accepted from any party having a

pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, authorized and desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the commission's activities. All contributions are subject to approval by the Legislative Council. All contributions accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of contributions, the date the contributions were received, from whom the contributions were received and the purpose of and any limitation on the use of those contributions. The Executive Director of the Legislative Council shall administer the contributions and shall notify the chairs of the commission when those contributions have been received.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 6, 2021.

CHAPTER 104

H.P. 530 - L.D. 719

Resolve, To Establish the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch

Preamble. Whereas, the existing probate court system established pursuant to the Constitution of Maine, Article VI, Section 6 was conditionally repealed by a vote of the people of Maine in 1967; and

Whereas, the effective date of repeal was dependent upon the creation of a different probate court system with full-time probate judges by the Legislature; and

Whereas, a different probate court system has not been created since the repeal and the Legislature has not considered a plan to establish a probate court system with full-time judges; and

Whereas, to honor the intent of a long-standing vote of Maine people and ensure that Maine people currently have the same access to justice in all Maine courts; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 15 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Three members of the House of Representatives appointed by the Speaker of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature;
3. Three members appointed by the Chief Justice of the Supreme Judicial Court;
4. One member who is a member of the Maine Probate Judges Assembly appointed by the Speaker of the House of Representatives;
5. One member who is a register of probate appointed by the Speaker of the House of Representatives;
6. One member who is a judicial branch clerk appointed by the Chief Justice of the Supreme Judicial Court;
7. One member who is a member of the Probate and Trust Law Advisory Commission appointed by that commission;
8. One member who is a member of the Family Law Advisory Commission appointed by that commission; and
9. Two members who are members of the Maine State Bar Association, one of whom is a member of a nonprofit organization providing statewide free legal services, appointed by the Speaker of the House of Representatives.

Sec. 3. Chairs; subcommittees. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission. The chairs of the commission are authorized to establish subcommittees to work on the duties listed in section 5 and to assist the commission. Any subcommittees established by the chairs must be composed of members of the commission and interested persons who are not members of the commission and who volunteer to serve on the subcommittees without reimbursement.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.