

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

August 2015

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# STATE OF MAINE

127<sup>TH</sup> LEGISLATURE

FIRST REGULAR SESSION



## 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 127<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.

|  |  |
|--|--|
| <i>CARRIED OVER</i> .....                                  | <i>carried over to a subsequent session of the Legislature</i>                           |
| <i>CON RES XXX</i> .....                                   | <i>chapter # of constitutional resolution passed by both houses</i>                      |
| <i>CONF CMTE UNABLE TO AGREE</i> .....                     | <i>Committee of Conference unable to agree; legislation died</i>                         |
| <i>DIED BETWEEN HOUSES</i> .....                           | <i>House &amp; Senate disagreed; legislation died</i>                                    |
| <i>DIED IN CONCURRENCE</i> .....                           | <i>defeated in each house, but on different motions; legislation died</i>                |
| <i>DIED ON ADJOURNMENT</i> .....                           | <i>action incomplete when session ended; legislation died</i>                            |
| <i>EMERGENCY</i> .....                                     | <i>enacted law takes effect sooner than 90 days after session adjournment</i>            |
| <i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> .....  | <i>emergency failed to receive required 2/3 vote</i>                                     |
| <i>FAILED, ENACTMENT or FINAL PASSAGE</i> .....            | <i>failed to receive final majority vote</i>   |
| <i>FAILED, MANDATE ENACTMENT</i> .....                     | <i>legislation proposing local mandate failed required 2/3 vote</i>                      |
| <i>HELD BY GOVERNOR</i> .....                              | <i>Governor has not signed; final disposition to be determined at subsequent session</i> |
| <i>LEAVE TO WITHDRAW</i> .....                             | <i>sponsor's request to withdraw legislation granted</i>                                 |
| <i>NOT PROPERLY BEFORE THE BODY</i> .....                  | <i>ruled out of order by the presiding officer; legislation died</i>                     |
| <i>INDEF PP</i> .....                                      | <i>indefinitely postponed; legislation died</i>  |
| <i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> .... | <i>ought-not-to-pass report accepted; legislation died</i>                               |
| <i>P&amp;S XXX</i> .....                                   | <i>chapter # of enacted private &amp; special law</i>                                    |
| <i>PUBLIC XXX</i> .....                                    | <i>chapter # of enacted public law</i>   |
| <i>RESOLVE XXX</i> .....                                   | <i>chapter # of finally passed resolve</i>   |
| <i>VETO SUSTAINED</i> .....                                | <i>Legislature failed to override Governor's veto</i>                                    |

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. 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 538 An Act To Reduce Fees at Maine's Postsecondary Institutions**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DAUGHTRY          | ONTP                    |                           |

This bill prohibits a postsecondary institution from assessing a student a student health fee unless the student has expressly agreed to pay the fee.

**LD 556 An Act To Require Public Schools To Offer Instruction Related to  
Cardiopulmonary Resuscitation and the Use of an Automated External  
Defibrillator**

**PUBLIC 140**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| POULIOT<br>MILLETT | OTP-AM                  | H-122                     |

This bill requires public schools to offer training to students on how to perform cardiopulmonary resuscitation and use automated external defibrillators in accordance with rules adopted by the Department of Education. The rules must be designed to ensure that the training requirements can be met without a public school's being required to expand or modify its activity so as to necessitate additional expenditures from local revenues.

**Committee Amendment "A" (H-122)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2015, chapter 140 requires public schools to offer training to students on how to perform cardiopulmonary resuscitation and use automated external defibrillators in accordance with rules adopted by the Department of Education. The rules must be designed to ensure that the training requirements can be met without a public school's being required to expand or modify its activity so as to necessitate additional expenditures from local revenues.

**LD 557 An Act To Provide Reasonable Accommodations for School Attendance  
for Children Certified for the Medical Use of Marijuana**

**PUBLIC 369**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| SANDERSON<br>HAMPER | OTP-AM<br>ONTP          | H-207<br>S-148 LANGLEY    |

This bill:

1. Provides that a school board may not prohibit the possession on school grounds of medical marijuana in a nonsmokeable form by the parent or guardian of a child with a disability for whom medical marijuana has been recommended by the child's health care provider as a reasonable accommodation necessary for that child to attend events held on school grounds; and
2. Provides that a child with a disability may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to

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

attend school.

### **Committee Amendment "A" (H-207)**

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment removes the provision in the bill that prohibits a school board from prohibiting possession of medical marijuana and instead provides that a parent, guardian or other person designated as a primary caregiver for a minor child certified for the medical use of marijuana may possess and administer marijuana in a nonsmokeable form to that child in a school bus or on the grounds of a preschool or primary or secondary school.

### **Senate Amendment "A" To Committee Amendment "A" (S-148)**

This amendment amends Committee Amendment "A" to strike and replace the provision in the bill that provides that a child upon a recommendation from the child's health care provider may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school.

This amendment provides that a child who holds a written certification for the use of medical marijuana from a medical provider under the Maine Medical Use of Marijuana Act may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school.

This amendment retains the provisions in Committee Amendment "A" concerning the possession and administering of marijuana in a nonsmokeable form by a parent, guardian or other primary caregiver.

### **Enacted Law Summary**

Public Law 2015, chapter 369 provides that a child who holds a written certification for the use of medical marijuana from a medical provider under the Maine Medical Use of Marijuana Act may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school. This law also provides that a parent, guardian or other person designated as a primary caregiver for a minor child certified for the medical use of marijuana may possess and administer marijuana in a nonsmokeable form to that child in a school bus or on the grounds of a preschool or primary or secondary school.

### **LD 567      **Resolve, To Implement Recommendations from the Maine Science, Technology, Engineering and Mathematics Education and Workforce Plan****

**Accepted Majority (ONTP) Report**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| POULIOT<br>MILLETT | ONTP<br>OTP             |                           |

This bill requires the Department of Education to convene a stakeholder-based advisory committee with representatives from the science, technology, engineering and mathematics fields, including computer science, to assist the department in developing and implementing recommendations made in the Maine Science, Technology, Engineering and Mathematics Education and Workforce Plan, including the adoption of next generation science standards in all school administrative units, and to determine the feasibility of implementing the other recommendations in the plan.