

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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STATE OF MAINE

128TH LEGISLATURE
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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 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 date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. 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

parents or guardians to reduce or eliminate the absenteeism. The parent or guardian of a student who has been determined to have excessive absenteeism would be required to meet with a school administrator and social worker. Incentives may be offered, for example, cash rewards or gift cards to grocery stores. The program would be a public-private partnership, and the Department of Education would seek private or corporate partners to help provide or donate the incentives.

LD 354 An Act To Address the Shortage of School Administrative Professionals ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| TUELL W MILLETT R | ONTP | |

This bill provides that limitations on conditions of restoration to service after retirement enacted in 2011 for state employees and teachers apply to school administrators. It also provides that, effective October 1, 2017, school administrators who have reached normal retirement age and who have retired after September 1, 2011 may be restored to service as school administrators for a maximum of ten years: five years under one-year contracts with compensation set at 100% of the compensation established for the position and five years with compensation set at 75%.

LD 355 An Act Regarding Special Education Costs ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| FULLER R LANGLEY B | ONTP | |

This bill is a concept draft pursuant to Joint Rule 208.

The bill proposes to enact measures designed to increase the speed with which the State reimburses towns for unexpected spikes in special education costs.

LD 356 An Act To Repeal Certain Requirements for Graduation from Secondary School Accepted Majority (ONTP) Report

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| SAMPSON H BRAKEY E | ONTP OTP-AM | |

Under current law, in order to award to a student a diploma indicating graduation from secondary school, a school must certify that the student has demonstrated proficiency in each of the guiding principles set forth in rules adopted by the Department of Education. In accordance with rules adopted by the department, the guiding principles are measured using rubrics that assess and grade a student's proficiencies in being a clear and effective communicator, a self-directed and lifelong learner, a creative and practical problem solver, a responsible and involved citizen and an integrative and informed thinker. This bill repeals this requirement.

Committee Amendment "A" (H-82)

This amendment, which is the minority report of the Joint Standing Committee on Education, incorporates a fiscal note.

Joint Standing Committee on Education and Cultural Affairs

This amendment was not adopted.

LD 378 An Act To Promote Physical Activity for Schoolchildren

**Accepted Majority
(ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MILLETT R PIERCE T | ONTP OTP | |

This bill requires all school administrative units to provide at least 30 minutes of daily physical activity for all students in kindergarten to grade five. The bill provides that a teacher may restrict a student from engaging in physical activity if the physical activity presents a danger to the student or others or if the restriction is consistent with the student's individualized education program.

LD 380 An Act To Implement the Federal Every Student Succeeds Act in Maine

**Leave to Withdraw
Pursuant to Joint
Rule**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| MILLETT R KORNFIELD T | | |

This bill is a concept draft pursuant to Joint Rule 208.

The bill proposes to implement the federal Every Student Succeeds Act in Maine.

LD 397 An Act To Ensure the 3 Percent Tax on Incomes over \$200,000 Is Distributed Proportionally Based on Student Counts

**Accepted Majority
(ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MALABY R | ONTP OTP-AM | |

This bill provides that the supplemental revenue funds allocated to school administrative units by the Commissioner of Education from the Fund to Advance Public Kindergarten to Grade 12 Education must be distributed proportionally based on the average October and April pupil enrollment counts for that fiscal year. The bill requires that every school administrative unit receives the same amount of supplemental state revenue contribution funds per pupil regardless of the local cost share expectation calculated under the Essential Programs and Services Funding Act. This bill also repeals the authorization for the Department of Education to use the fund for administrative costs.

Committee Amendment "A" (H-52)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, incorporates a fiscal note.

This amendment was not adopted.