

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<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 2017

**STAFF:**

PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST  
ALYSON MAYO, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/legis/opla/>

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# STATE OF MAINE

128<sup>TH</sup> 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 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 date for non-emergency legislation enacted in the First Regular Session of the 128<sup>th</sup> 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*

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.