

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

Committee Amendment "A" (H-106)

This amendment adds four members to the task force, increasing its membership to 13 members, and authorizes the task force to hold up to five meetings. The amendment also clarifies that the task force report must be submitted to the Joint Standing Committee on Education and Cultural Affairs, which is authorized to submit a bill to the Second Regular Session of the 128th Legislature.

Enacted Law Summary

Resolve 2017, chapter 26 establishes the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services. The task force has 13 members and may hold up to five meetings to address the rising cost of special education and the maintenance of high-quality services that accommodate the needs of all children by identifying cost drivers and recommending innovative approaches to serving students. No later than December 6, 2017, the task force must submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Education and Cultural Affairs. The Joint Standing Committee on Education and Cultural Affairs is authorized to submit a bill to the Second Regular Session of the 128th Legislature.

Resolve 2017, chapter 26 was finally passed as an emergency measure effective August 2, 2017.

LD 674 An Act To Provide Public Charter Schools with Access to State Funds ONTP
for Capital Expenses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G POULIOT M	ONTP	

This bill allows a per-pupil allocation for capital expenses to be added to the essential programs and services funding formula for public charter schools that do not have access to capital funds from the State or from a school administrative district.

LD 678 An Act To Protect Students from Identity Theft PUBLIC 247

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RILEY C	OTP-AM	H-409

This bill requires a public school or private school, if asking for a student's social security number, to inform the student's parent or guardian for what purpose the social security number will be used and to provide the parent, guardian or student with the opportunity to opt out of providing the social security number.

Committee Amendment "A" (H-409)

This amendment replaces the bill and places provisions regarding student social security numbers in the part of the Maine Revised Statutes, Title 20-A that deals with student records. The amendment requires a school administrative unit, a public school within a school administrative unit or a private school, if asking for a student's social security number, to inform the student's parent or legal guardian or the student if the student is 18 years of age or older for what purpose the social security number will be used. The amendment requires the unit or school to provide the parent, legal guardian or student with the opportunity to opt out of providing the social security number.

The amendment also requires a school administrative unit, a public school within a school administrative unit or a private school that collects a student's social security number to delete it from the student's records once the student is no longer enrolled.

Joint Standing Committee on Education and Cultural Affairs

Enacted Law Summary

Public Law 2017, chapter 247 requires a school administrative unit, a public school within a school administrative unit or a private school, if asking for a student's social security number, to inform the student's parent or legal guardian or the student if the student is 18 years of age or older for what purpose the social security number will be used. It requires the unit or school to provide the parent, legal guardian or student with the opportunity to opt out of providing the social security number.

Public Law 2017, chapter 247 also requires a school administrative unit, a public school within a school administrative unit or a private school that collects a student's social security number to delete it from the student's records once the student is no longer enrolled.

LD 679 An Act To Reform School Testing Procedures ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER R	ONTP	

This bill limits statewide assessment program testing requirements to grades three, five, seven, nine and 11 and limits any use of alternative measures of student achievement to grades nine and 11. It also limits the statewide system of learning results testing requirements to students in grades three, five, seven, nine and 11. The bill authorizes the Commissioner of Education to adopt rules to implement the provisions of the bill.

LD 680 An Act To Allow the Employment or Service in a School of a Spouse of a School Board or Committee Member ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S CARPENTER M	ONTP	

This bill allows a spouse of a school board member to be employed or serve in a volunteer position in a public school within the jurisdiction of the school board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee upon a two-thirds vote of the school board or committee.

LD 681 An Act Regarding Sexual Activity and Sexual Assault at Secondary and Postsecondary Educational Institutions CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M MAKER J	OTP-AM ONTP	H-505

This bill requires that instruction involving affirmative consent, communication and decision making regarding sexual activity be a mandatory part of secondary school instruction. "Affirmative consent" is defined as consent to sexual activity that can be revoked at any time and does not include silence, lack of resistance or consent given while intoxicated. This bill also requires a postsecondary educational institution to make a notation on a student's transcript if the student has been convicted of sexual assault committed on the campus of the postsecondary educational institution.

Committee Amendment "A" (H-505)