

# 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

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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*

2. Allow an educational institution that uses a proficiency-based grading system and offers an approved teacher preparation program to maintain at least an average proficiency rating for its students rather than a 3.0 average grade point average based on a 4.0 grade point system for its students.

This amendment was not adopted.

**LD 826**      **An Act To Prioritize the Renovation of Existing Underutilized Schools in  
Conjunction with the Closing of Nearby Schools Due to Declining  
Enrollment**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M STEWART H	ONTP	

This bill amends the laws governing the School Revolving Renovation Fund to add renovation and repurposing of underutilized space, when done in conjunction with closing a school, to the list of projects that qualify for Priority 1 status.

**LD 840**      **An Act To Expand Educational Opportunities for Students in the  
Unorganized Territories**      **Accepted Majority  
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W	ONTP OTP-AM	

This bill provides that the parent or guardian of a child residing in an unorganized unit that does not have an elementary school located in that unorganized unit may choose an elementary school in the State for that child to attend.

**Committee Amendment "A" (H-393)**

This amendment is the minority report of the committee. The amendment replaces the bill. The amendment provides that a student who resides in an unorganized territory that does not have an elementary school and who was a tuition student prior to the 2016-2017 school year must continue to be accepted as a tuition student at that student's current elementary school until that student is no longer eligible to attend an elementary school. The amendment also provides that the parent or guardian of the tuition student who resides in an unorganized territory must provide transportation to the elementary school that the student attends.

This amendment was not adopted.

**LD 841**      **An Act To Provide Stability in MaineCare Payments for Educational  
Programming**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MELARAGNO G	ONTP	

This bill amends the laws governing MaineCare payments for educational programming. Under current law, the Department of Education is authorized to pay on behalf of a school administrative unit allowable school-based costs that represent the school administrative unit's portion of MaineCare payments. Current law also provides that the department may then deduct that amount from the school administrative unit's state subsidy. This bill changes the