

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

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

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

Transfer Process. The commission is directed to conduct a review of the appeal process under the laws governing the transfer of a student from one school administrative unit to another school administrative unit. The amendment adds four members to the commission.

LD 1016 An Act To Provide Funding for Career and Technical Education Based on Projected Enrollment **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A		

This bill modifies the funding model for career and technical education costs. This bill requires that the state allocation for these costs be based on the projected enrollment for the fiscal year of the allocation rather than actual enrollment in a prior year.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 1026 An Act To Assist Student Achievement **ONTP**

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

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

The bill proposes to explore ways to assist students in achieving academic success.

LD 1029 An Act To Abolish the 5-year Cap for Retired State Employees Who Return to Work **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M MARTIN J	ONTP	

Current law allows a state employee or teacher who retires after September 1, 2011 to return to service for up to five years. This bill eliminates that five-year cap.

LD 1051 An Act To Prevent Sudden Cardiac Arrest **ONTP**

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

This bill enacts the Sudden Cardiac Arrest Prevention Act, which provides for:

1. Education regarding sudden cardiac arrest in students engaged in athletics;
2. The removal from athletic events of students who exhibit symptoms of cardiac arrest;

Joint Standing Committee on Education and Cultural Affairs

- 3. Education and training for athletic directors, coaches and athletic trainers; and
- 4. Penalties for violations of the Act.

LD 1073 An Act To Clarify Laws Regarding Maine's Community Colleges

PUBLIC 179

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY B KORNFIELD T	OTP-AM	S-194

This bill:

- 1. Changes the name of the Maine Community College System's advisory council of college presidents from the administrative council to the presidents' council;
- 2. Allows the Board of Trustees of the Maine Community College System to encourage the development of innovative education delivery methods, course schedules, student support services and prior learning assessments that help expand access to both credit and noncredit programming;
- 3. Allows the Board of Trustees of the Maine Community College System to support the development of campus security plans and policy and to develop and administer programs of campus employment;
- 4. Makes changes to promote the regular use of facility master planning;
- 5. Removes the requirement that the Legislature must approve real estate transactions selling or permanently transferring any interest in real estate; and
- 6. Imposes a number of constraints on contracts the board of trustees may enter into, other than employment contracts.

Committee Amendment "A" (S-194)

This amendment clarifies that scholarships, not awards, granted by the board of trustees of the Maine Community College System must be based on evidence of individual need and worth. It also clarifies qualifications students must meet in order to be selected for a scholarship or campus employment. It also provides that the board of trustees of the Maine Community College System may make hardship distributions from any of the accumulated assets in a defined contribution retirement plan account in accordance with federal regulations.

Enacted Law Summary

Public Law 2017, chapter 179:

- 1. Changes the name of the Maine Community College System's advisory council of college presidents from the administrative council to the presidents' council;
- 2. Allows the Board of Trustees of the Maine Community College System to encourage the development of innovative education delivery methods, course schedules, student support services and prior learning assessments that help expand access to both credit and noncredit programming;
- 3. Allows the Board of Trustees of the Maine Community College System to support the development of campus security plans and policy and to develop and administer programs of campus employment;
- 4. Clarifies qualifications students must meet in order to be selected for a scholarship or campus employment and