

# 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*

- 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

***Joint Standing Committee on Education and Cultural Affairs***

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;

- 5. Makes changes to promote the regular use of facility master planning;
- 6. Removes the requirement that the Legislature must approve real estate transactions selling or permanently transferring any interest in real estate;
- 7. Imposes a number of constraints on contracts the board of trustees may enter into, other than employment contracts; and
- 8. 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.

**LD 1074      An Act To Support Public Charter School Enrollment Options for Certain Students      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D POULIOT M	ONTP	

This bill authorizes public charter schools to give enrollment preference to students at risk for academic failure. It also authorizes public charter schools with a mission for single-gender education to give enrollment preference based on gender.

**LD 1080      An Act To Prevent Economic Hardship in Maine School Administrative District 44      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEAD F	ONTP	

This bill maintains the existing ad valorem cost-sharing agreement of the members of Maine School Administrative District 44 by requiring the Town of Newry to remain a member of that district. The bill expresses the Legislature's findings that the Constitution of Maine requires municipalities to support public schools, that there exists established precedent for prohibiting the withdrawal of a municipality from a school district and that the residents of the school district have considered and rejected an amendment to the cost-sharing formula used to fund education and have expressed objection to the use of the withdrawal process for the purpose of tuitioning students back to the same school district at increased expense of neighboring towns.

**LD 1093      An Act To Clarify That Involuntary Transfers of Teachers and Municipal Public Employees Are Subject to Collective Bargaining      Accepted Majority (ONTP) Report**

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

This bill specifies that the involuntary transfer of a teacher or other municipal employee is included in working conditions that must be collectively bargained in good faith. This bill specifies that an involuntary transfer is not