

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
FIRST REGULAR SESSION



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-469)

This amendment, which is the majority report of the committee, modifies the requirements in the bill for age-appropriate traffic safety education in school administrative units. The amendment provides that the traffic safety education must be provided annually to at least four different grade levels from kindergarten to grade 12. The amendment retains the requirements of the bill that the education be at least one hour in length and meet certain minimum requirements. This amendment also provides funding for 90% of the cost to school administrative units to implement the traffic safety education curriculum.

House Amendment "A" To Committee Amendment "A" (H-537)

This amendment requires traffic safety education to be provided annually in at least four different grades from grade four to grade 12, instead of kindergarten to grade 12 as in the committee amendment. This amendment revises the appropriations and allocations section based on the new requirement.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 1131 An Act To Create Education Savings Accounts for Maine Students

Accepted Majority (ONTP) Report

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| HANLEY J THIBODEAU M | ONTP OTP-AM | |

This bill directs the Treasurer of State to establish education savings accounts that may be used by the parents or legal guardians of children to pay for the education of their children outside of the public school system. The funding for these savings accounts would come from shifting 90% of the essential programs and services funding that would otherwise be provided by the State and the school administrative unit for each child into a savings account. The bill specifies what educational expenditures are permitted and provides for review of spending from the accounts.

Committee Amendment "A" (H-395)

This amendment is the minority report of the committee. It adds an appropriations and allocations section.

This amendment was not adopted.

LD 1132 An Act To Create Education Savings Accounts for Students with Special Needs

Accepted Majority (ONTP) Report

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| GERRISH K BRAKEY E | ONTP OTP-AM | |

This bill directs the Department of Education to establish education savings accounts for children with disabilities that may be used by the parents or legal guardians of such children for certain educational purposes. The funding for these accounts would come from shifting 90% of the essential programs and services funding that would otherwise be provided by the State and the school administrative unit for the child into the savings account. The bill provides mechanisms for approval of educational expenditures and review of spending from the accounts.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "A" (H-284)

This amendment is the minority report and provides that a written agreement between a parent or legal guardian and the Department of Education is required to establish an education savings account for a child with disabilities. The agreement must state that the parent or legal guardian will not enroll the child in a public school or charter school, that the parent or legal guardian releases the school administrative unit from all obligations to educate the child and that the parent or legal guardian will use a portion of the education savings account funds allocated annually to provide an education for the child in a manner consistent with the system of learning results. It also adds to the renewal requirements that the child must have a review and acceptance of the child's progress by an identified individual with a current Maine teacher's certificate. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1143 Resolve, Providing for the Official Observance of the 200th Anniversary
of the Formation of the State of Maine**

**RESOLVE 25
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|----------------------------|
| HANDY J CARPENTER M | OTP-AM | H-453 S-323 HAMPER J |

This resolve establishes the Maine Bicentennial Commission to prepare and administer a comprehensive plan and program for the adequate observance and celebration on a statewide basis of the bicentennial anniversary in 2020 of the formation of the State of Maine.

Committee Amendment "A" (H-453)

This amendment changes the membership of the Maine Bicentennial Commission. It provides that the Maine State Cultural Affairs Council, instead of the Legislative Council, will provide staff to the commission and allows the chair of the commission to request authority from the Legislative Council to have additional meetings. It changes the deadline for the progress report from December 15th of each year to the following: December 6, 2017; November 7, 2018; December 4, 2019; and November 4, 2020. The amendment provides that the joint standing committee of the Legislature having jurisdiction over education and cultural affairs will receive the progress reports instead of the joint standing committee of the Legislature having jurisdiction over state and local government matters. The amendment also includes an appropriation of \$75,000 from the General Fund and an ongoing allocation of \$500 from Other Special Revenue Funds.

Senate Amendment "A" To Committee Amendment "A" (S-323)

This amendment removes the appropriations of \$75,000 from the General Fund from Committee Amendment "A" but retains the ongoing allocation of outside funds received for the State of Maine bicentennial celebration. This amendment also adds an emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2017, chapter 25 establishes the Maine Bicentennial Commission to prepare and administer a comprehensive plan and program for the adequate observance and celebration on a statewide basis of the bicentennial anniversary in 2020 of the formation of the State of Maine. The State Cultural Affairs Council will provide staff to the commission and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs will receive reports on the commission's progress.

Resolve 2017, chapter 25 was finally passed as an emergency measure effective August 2, 2017.