

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**

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STATE OF MAINE

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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

This bill changes the multiplier for adjusting a public charter school's operating allocation from the appropriate transition percentage in accordance with the Maine Revised Statutes, Title 20-A, section 15671, subsection 7, to 105%.

Committee Amendment "A" (H-304)

This amendment is the majority report of the committee. The amendment:

1. Changes the multiplier for adjusting a public charter school's operating allocation to 100% rather than 105% as in the bill; and
2. Adjusts the noncharter public school's operating allocation calculated in accordance with the Maine Revised Statutes, Title 20-A, section 15671, subsection 7, from 97% to 100%.

Committee Amendment "B" (H-305)

This amendment is the minority report of the committee. The amendment changes the multiplier for adjusting a public charter school's operating allocation to 100% rather than 105% as in the bill.

LD 1215 An Act To Clarify Collective Bargaining in School Districts ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SYLVESTER M BELLOWS S	ONTP	

This bill allows, but does not require, public employers of teachers to negotiate with respect to educational policies.

LD 1228 An Act To Ensure That Charter School Students Have Access to Extracurricular Activities Died Between Houses

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

This bill provides students enrolled in a public charter school with the same access to extracurricular activities as students receiving homeschool instruction.

Committee Amendment "A" (H-285)

This amendment, which is the minority report of the committee, revises the substance of the bill to provide that a school administrative unit is required to make both extracurricular and cocurricular activities available to a student enrolled in a public charter school who is eligible to attend a school of that school administrative unit, including a student who resides in the unorganized territory. The amendment defines "eligible student."

The amendment provides that an eligible student is eligible to participate in cocurricular activities sponsored by the school administrative unit upon approval of the principal or the principal's designee, which may not unreasonably be withheld. The student must comply with the applicable behavioral, disciplinary and other rules governing regularly enrolled students participating in the activities.

Like the bill, the amendment provides that an eligible student is eligible to try out for extracurricular activities

Joint Standing Committee on Education and Cultural Affairs

sponsored by the local school unit on the same basis as a student receiving homeschool instruction may do under current law. The amendment adds a requirement that the student pay the same fees as regularly enrolled students participating in the activity pay. The local school unit may not impose any eligibility standards for participation in extracurricular activities by an eligible student that are not imposed on all other students.

The amendment also provides that, if an eligible student participates in cocurricular or extracurricular activities, the public charter school in which the eligible student is enrolled is required to pay to the local school unit the amount of the EPS per-pupil funding received by the public charter school for cocurricular and extracurricular activities, except that the public charter school is not required to pay in any fiscal year more than 100% of the fiscal year amount of the EPS per-pupil funding received by the public charter school for cocurricular and extracurricular activities.

This amendment was not adopted.

LD 1233 An Act To Provide Veterans and Gold Star Families Free Admission to the Maine State Museum ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B CARSON B	ONTP	

This bill provides for free admission to the Maine State Museum for veterans and persons who are eligible to possess gold star lapel buttons or lapel buttons for next of kin of deceased military personnel.

LD 1234 An Act To Amend Maine's Truancy Laws by Specifying Penalties for Noncompliance ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERRISH K MAKER J	ONTP	

This bill changes the age range for compulsory school attendance from seven years of age to under 17 years of age to six years of age to under 18 years of age and changes the number of absences required for a student to be considered truant. It establishes a fine for parents adjudged for repeated violations of the truancy laws and allows the superintendent to inform the Department of Health and Human Services that the student is a victim of abuse or neglect based on the parent's failure to ensure compliance with school attendance requirements. It also establishes a fine and possible driver's license suspension for truant students.

LD 1286 An Act To Facilitate Compliance by School Employees with Criminal History Record Check and Fingerprinting Requirements CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R MAREAN D	OTP-AM	S-221

This bill requires every school administrative unit to obtain a criminal history background check of an individual before hiring or placing that individual within the school administrative unit except for educational personnel currently required to undergo a criminal history background check. This bill also requires every school administrative unit to conduct an audit to determine if the school administrative unit possesses a criminal history background check for all current employees of the school administrative unit and to obtain criminal history background checks for those employees for whom the school administrative unit does not have a criminal history