

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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/>

MEMBERS:

SEN. BRIAN D. LANGLEY, CHAIR
SEN. JOYCE A. MAKER
SEN. REBECCA J. MILLETT

REP. VICTORIA P. KORNFIELD, CHAIR
REP. MATTHEA E. LARSEN DAUGHTRY
REP. RICHARD R. FARNSWORTH
REP. TERESA S. PIERCE
REP. ROGER JASON FULLER
REP. DAVID HAROLD MCCREA
REP. PHYLLIS A. GINZLER
REP. BETH PELOQUIN TURNER
REP. HEIDI H. SAMPSON
REP. HAROLD L. STEWART III

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

LD 1335 An Act To Provide Youth Mental Health First Aid Training to Secondary School Health Educators

PUBLIC 269

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|----------------------------|
| MCCREIGHT J BREEN C | OTP-AM ONTP | H-421 H-471 MCCREIGHT J |

This bill requires the Department of Education to establish a program to ensure health educators in secondary schools receive training from properly credentialed trainers in youth mental health first aid.

Committee Amendment "A" (H-421)

This amendment is the majority report of the committee. It provides funding to the Department of Education for personnel and costs necessary to implement the provisions of the bill.

House Amendment "A" To Committee Amendment "A" (H-471)

Committee Amendment "A" provides ongoing funds for the Department of Education to establish a youth mental health first aid training program for health educators in secondary schools. This amendment eliminates that funding and instead requires a school administrative unit, if it receives funding for that purpose, to establish such a program.

Enacted Law Summary

Public Law 2017, chapter 269 requires a school administrative unit, if it receives funding to establish a youth mental health first aid training program for health educators in secondary schools, to establish such a program.

LD 1336 An Act To Amend the Laws Governing the Process for a Single Municipality To Withdraw from a Regional School Unit

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GINZLER P | | |

This bill allows the withdrawal committee for a single municipality seeking to withdraw from a regional school unit to request an extension of time to submit an agreement to the Commissioner of Education for a period not to exceed 180 days after the formation of the withdrawal committee. The withdrawal committee by unanimous vote may request an extension from the commissioner beyond 180 days after the formation of the withdrawal committee.

It allows the withdrawal committee to petition the commissioner to order binding mediation between the parties if they fail to enter into an agreement within 180 days after the formation of the withdrawal committee. The agreement reached through mediation must be submitted to the commissioner for approval.

It requires the agreement for the withdrawal of a single municipality from a regional school unit to include a plan for providing child nutrition services in compliance with state and federal laws at schools operated by the withdrawing municipality and an anticipated budget for the schools operated by the withdrawing municipality for the first year of operation.

Committee Amendment "A" (H-443)

This amendment changes the bill's proposal to allow the withdrawal committee of a municipality petitioning to withdraw from a regional school unit to petition the Commissioner of Education to order binding mediation between the parties if they fail to enter into an agreement within 180 days after the formation of the withdrawal committee. The amendment instead allows the withdrawal committee to petition the commissioner to order mediation between

Joint Standing Committee on Education and Cultural Affairs

the parties if they fail to enter into an agreement within 180 days. If the parties fail to enter into an agreement within 90 days after the commissioner orders mediation, the withdrawal committee may petition the commissioner to order binding mediation between the parties.

The amendment also provides that the referendum vote to approve the proposed agreement of withdrawal must be held before November 30th of the year prior to the proposed first year of operation of the schools of the petitioning municipality.

This bill was reported out of committee and then recommitted to the committee; it was then carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 1337 An Act To Define "Surrogate" for Student Residency Purposes ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PICCHIOTTI J | ONTP | |

This bill specifies that a person is eligible to attend schools in the school administrative unit where the person's parent or surrogate resides, and defines a surrogate as an adult related to a minor and from whom the minor receives the ongoing care and support expected of a parent or, if no such relatives exist, an adult with whom the minor resides and who has provided the minor with the ongoing care and support expected of a parent.

LD 1344 An Act To Assess and Improve the Quality of Physical Education in Kindergarten to Grade 12 Accepted Majority (ONTP) Report

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

This bill provides that the Commissioner of Education may not consider financial hardship as a basis for granting a school administrative unit a waiver from physical education requirements.

The bill also directs the Department of Education to conduct a comprehensive assessment of physical education offered to kindergarten through grade 12 students in public schools. As part of the comprehensive assessment, the department is required to work with school administrative units to complete self-assessments.

Committee Amendment "A" (H-372)

This amendment, which is the minority report of the committee, provides a new title and removes the sections of the bill that direct the Department of Education to conduct a comprehensive assessment of physical education offered to kindergarten through grade 12 students in public schools and to report on that assessment. It leaves the section of the bill that provides that the Commissioner of Education may not consider financial hardship as a basis for granting a school administrative unit a waiver from physical education requirements.

This amendment was not adopted.