

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION AND  
CULTURAL AFFAIRS**

October 2018

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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* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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" (S-128)**

This amendment, which is the majority report of the committee, provides funding to the Department of Education for personnel necessary to carry out the purpose of the bill and costs associated with the development and implementation of a pilot project to establish an early childhood consultation program.

### **Senate Amendment "B" To Committee Amendment "A" (S-533)**

This amendment removes the requirement that the Department of Education designate an entity to participate with the department to develop a pilot project to establish an early childhood consultation program. The amendment removes the funding proposed in fiscal year 2017-18 and instead provides that funding in fiscal year 2018-19. The amendment also allows the Department of Education to carry forward any remaining balance of funds provided to the department for the pilot project in fiscal year 2018-19 into fiscal year 2019-20.

**LD 1336**

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

**Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GINZLER P	OTP-AM	H-605

This bill was reported out by the Committee during the First Regular Session of the 128th Legislature and then recommitted to the Committee. The bill was carried over to the Second Regular Session of the 128th Legislature.

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 was the unanimous report of the Committee during the First Regular Session. It 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 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.

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

### **Committee Amendment "B" (H-605)**

This amendment was the unanimous report of the Committee during the Second Regular Session. It 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 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.

### **House Amendment "A" To Committee Amendment "B" (H-637)**

This amendment exempts from the authorization to petition for mediation or binding mediation withdrawal committees from member municipalities in School Administrative District No. 6 and School Administrative District No. 44.

This amendment was not adopted.

### **LD 1492      An Act To Attract, Educate and Retain New Mainers To Strengthen the Workforce**

**Died On  
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R STEWART H	OTP-AM ONTP	S-368

This bill was reported out of committee and then recommitted to the committee in the First Regular Session of the 128th Legislature; it was then carried over to any special or regular session of the 128th Legislature by joint order, H.P 1138. This bill was reported out of committee in the Second Regular Session, placed on the Special Appropriations Table, and then carried over on the Special Appropriations Table by joint order S.P. 748.

This bill creates various programs to attract, educate and retain in the State's workforce immigrant populations in the following ways.

1. It creates the Office of New Mainers and the Office of New Mainers Advisory Committee to coordinate among various departments by developing a comprehensive plan to educate and train immigrant populations to fill needed positions of employers throughout the State.
2. It establishes the Welcome Center Initiative to operate welcome centers in adult education programs to attract, educate and retain in employment foreign-trained workers in municipalities or regions of the State that have immigrant populations or that have industries that are experiencing a shortage of trained workers, patterned after the New Mainers Welcome Center operated by the City of Portland adult education program through a pilot program created by the 126th Legislature.
3. It establishes three grant programs to:
  - A. Contract with service providers to provide English-language instruction, vocational training and placement of