

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th 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

This bill requires that, beginning in the 2019-2020 school year, at least two personnel in each school within a school administrative unit and in each island, charter and public school that is not in a school administrative unit must be certified in youth mental health first aid.

Committee Amendment "A" (H-740)

This amendment, which is the majority report of the committee, strikes and replaces the bill. The amendment requires school administrative units to schedule and ensure training in youth mental health first aid for educators providing health instruction in addition to the current requirement to schedule and ensure training for health educators. It also requires school administrative units to ensure that training is provided to those educators in middle schools and high schools instead of only in high schools.

The amendment also requires a school administrative unit to meet the training requirements if it has access to free training that meets national standards. Currently, a school administrative unit is required to meet the training requirements only if it received federal funding, private funding or other funding for the purpose of establishing such a program.

LD 1869

An Act To Establish the Total Cost of Education and the State and Local Contributions to Education for Fiscal Year 2018-19 and To Provide That Employees of School Management and Leadership Centers Are Eligible To Participate in the Maine Public Employees Retirement System

**PUBLIC 446
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY B	OTP-AM OTP-AM	S-469 S-528 LANGLEY B H-805 KORNFIELD T

This bill was reported out of Committee in the Second Regular Session of the 128th Legislature and then carried over on the Special Appropriations Table to the First Special Session by joint order S.P. 748.

This bill establishes the total cost of funding public education from kindergarten to grade 12, the state contribution and the local contribution for fiscal year 2018-19. The bill also provides that employees of school management and leadership centers established under the Maine Revised Statutes, Title 20-A, chapter 123 are eligible to participate in the Maine Public Employees Retirement System.

Committee Amendment "A" (S-468)

This amendment is the majority report of the committee. The amendment includes provisions regarding dissolution for a school administrative unit to withdraw from a school management and leadership center and includes provisions for the merging of bargaining units of employees of a school administrative unit that also are employed by a school management and leadership center. The amendment also makes several changes to the total cost of funding public education from kindergarten to grade 12, the state contribution and the local contribution for fiscal year 2018-19, including:

1. Reducing the mill expectation rate for municipalities from 8.51 to 8.46 for fiscal year 2018-19 since the proposed allocation for career and technical education middle school programs for fiscal year 2018-19 is reduced by \$5,000,000 and \$5,000,000 is also reduced from the local costs for funding public education from kindergarten to grade 12;
2. Transferring the provision of the adjustments from the state share of the total allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15689 to the audit adjustment pursuant to Title 20-A, section 15689,

Joint Standing Committee on Education and Cultural Affairs

subsection 4; and

3. Amending the provisions regarding:

A. The state contribution to the total cost of teacher retirement by indicating that the total costs include the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, the total costs exclude the normal cost of teacher retirement; and

B. The state contribution to the total cost of funding public education from kindergarten to grade 12 by indicating that the total costs include the state contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance.

Committee Amendment "B" (S-469)

This amendment is the minority report of the Committee. The amendment makes several changes to the total cost of funding public education from kindergarten to grade 12, the state contribution and the local contribution for fiscal year 2018-19, including:

1. Reducing the mill expectation rate for municipalities from 8.51 to 8.49 for fiscal year 2018-19 since the proposed allocation for career and technical education middle school programs for fiscal year 2018-19 is reduced by \$2,500,000 overall since:

A. The proposed allocation for career and technical education middle school programs is reduced from \$5,000,000 to \$500,000 for fiscal year 2018-19; and

B. The allocation for the national industry standards for career and technical education programs for fiscal year 2018-19 is upgraded from \$2,000,000 to \$4,000,000;

2. Transferring the provision of the adjustments from the state share of the total allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15689 to the audit adjustment pursuant to Title 20-A, section 15689, subsection 4; and

3. Amending the provisions regarding:

A. The state contribution to the total cost of teacher retirement by indicating that the total costs include the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers and the total costs exclude the normal cost of teacher retirement; and

B. The state contribution to the total cost of funding public education from kindergarten to grade 12 by indicating that the total costs include the state contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance.

Senate Amendment "A" (S-528)

This amendment adds an emergency preamble and emergency clause to the bill.

House Amendment "A" To Committee Amendment "B" (H-805)

This amendment makes the following changes to the bill as amended by Committee Amendment "B."

1. It strikes language from the bill that provides that employees of school management and leadership centers are eligible to participate in the Maine Public Employees Retirement System.

Joint Standing Committee on Education and Cultural Affairs

2. It does not incorporate language proposed in Senate Amendment "B" regarding the dissolution for a school administrative unit to withdraw from a school management and leadership center, or provisions for the merging of bargaining units.
3. It changes the mill expectation from 8.49 to 8.48.
4. It increases the allocation for career and technical education costs by \$2,000,000.
5. It decreases the allocation for alignment of career and technical education programs with national industry standards by \$2,000,000.
6. It makes changes to the total cost of funding public education from kindergarten to grade 12 and to the local contribution to the total cost of funding public education from kindergarten to grade 12.
7. It provides that for the purposes of calculating the total allocation for a career and technical education center or career and technical education region, to the extent that funding under the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 1 allows, any cap on the total allocation does not apply for the fiscal year beginning July 1, 2018 and ending June 30, 2019 only.

Enacted Law Summary

Public Law 2017, chapter 446 establishes the total cost of funding public education from kindergarten to grade 12, the state contribution and the local contribution for fiscal year 2018-19. The bill makes several changes to the total cost of funding public education from kindergarten to grade 12, the state contribution and the local contribution for fiscal year 2018-19, including:

1. It changes the mill expectation from 8.49 to 8.48.
2. It increases the allocation for career and technical education costs by \$2,000,000.
3. It decreases the allocation for alignment of career and technical education programs with national industry standards by \$2,000,000.
4. It makes changes to the total cost of funding public education from kindergarten to grade 12 and to the local contribution to the total cost of funding public education from kindergarten to grade 12.
5. It provides that for the purposes of calculating the total allocation for a career and technical education center or career and technical education region, to the extent that funding under the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 1 allows, any cap on the total allocation does not apply for the fiscal year beginning July 1, 2018 and ending June 30, 2019 only.

Public Law 2017, chapter 446 was enacted as an emergency measure effective July 8, 2018.

LD 1870 **Resolve, To Create the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services **Died On Adjournment****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY B	OTP-AM OTP-AM	S-457 S-479 MILLETT R

This bill was reported out of committee in the Second Regular Session of the 128th Legislature as a resolve then carried over on the Special Appropriations Table from the Second Regular Session to the next special session by