

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2019

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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 247 An Act To Increase the Amount of Time School Counselors and Social Workers Spend Providing Students Direct and Indirect Counseling

PUBLIC 45

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R	OTP-AM	S-29

This bill requires each school counselor and school social worker to spend at least 80% of that counselor's or social worker's time providing direct or indirect services to students and requires the Commissioner of Education to adopt rules to implement this provision.

Committee Amendment "A" (S-29)

This amendment clarifies that direct services and indirect services must be within the scope of the duties of school counselors or school social workers as established by major substantive rules adopted by the Department of Education. The rules must include guidelines regarding the duties of school counselors, including that a school counselor deliver a comprehensive school counseling program, and guidelines regarding the duties of school social workers. The amendment also clarifies that each school counselor and school social worker must spend at least 80% of the school counselor's or school social worker's time providing direct services to and indirect services on behalf of students.

Enacted Law Summary

Public Law 2019, chapter 45, requires each school counselor and school social worker to spend at least 80% of that counselor's or social worker's time providing direct or indirect services to students, which are defined as services that are within the scope of duties of school counselors or school social workers as established by major substantive rules adopted by the Department of Education. The Commissioner of Education is required to adopt rules to implement this provision, and the rules must include guidelines regarding the duties of school counselors, including that a school counselor deliver a comprehensive school counseling program, and guidelines regarding the duties of school social workers.

LD 259 An Act To Require the State To Meet the Mandatory 55 Percent Contribution to Schools

Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D	OTP-AM ONTP	

This bill increases the target for the state share percentage of the statewide adjusted total cost of the components of essential programs and services to 55%, as required by law, beginning in fiscal year 2019-20 and continuing at that rate annually.

Committee Amendment "A" (S-130)

This amendment, which is the majority report of the committee, repeals the provision of law containing the annual targets for the state share percentage of the total cost of funding public education from kindergarten to grade 12 that include the cost of components of essential programs and services plus the state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.