

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

STAFF:

HILLARY RISLER, LEGISLATIVE ANALYST
KAREN S. NADEAU, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

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STATE OF MAINE

129TH LEGISLATURE
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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

Enacted Law Summary

Public Law 2019, chapter 15 establishes the Blind and Visually Impaired News Access Fund as a dedicated fund within the Maine State Library to be used to provide access to the National Federation of the Blind's news network for blind and visually impaired persons. The law also directs the Public Utilities Commission to transfer \$40,000 per year from the state universal service fund to the Blind and Visually Impaired News Access Fund to support the annual cost of providing access to the network.

LD 385 An Act To Base School Funding on the Number of Students Sent by a ONTP
Town to a Regional School Unit

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K	ONTP	

This bill amends the method by which the share of the total cost of education from kindergarten to grade 12 is calculated for a municipality that is within a regional school unit. Current law establishes that share as the lesser of the municipality's total cost of education as determined under the Maine Revised Statutes, Title 20-A, section 15688, subsection 1 and an amount equal to the product of the education mill rate for the municipality multiplied by the total valuation of property in the municipality. This bill instead determines the share of the total cost of education from kindergarten to grade 12 of a municipality within a regional school unit based upon the product of the statewide per-pupil rate calculated under Title 20-A, section 15671-A, subsection 2-A and the number of pupils in the municipality who reside in the municipality and who are educated at public expense. The bill phases in this method of determining a municipality's share of the total cost of education from kindergarten to grade 12 over three years: in fiscal year 2020-21, the total cost is 2/3 of the amount determined based on property values and 1/3 of the amount determined based on number of pupils; in fiscal year 2021-22, the total cost is 1/3 of the amount determined based on property values and 2/3 of the amount determined based on number of pupils; and, in fiscal year 2022-23 and subsequent years, the total cost is determined based entirely on number of pupils.

LD 387 An Act To Require Cursive Handwriting Instruction in Grade 3 to ONTP
Grade 5

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMPSON H CHENETTE J	ONTP	

This bill requires the Department of Education to provide for continual, regular instruction of and opportunities to use cursive handwriting beginning in grade three. The instruction must be designed to enable students to demonstrate competence in cursive handwriting by the end of grade five.

LD 388 An Act To Recognize Employee Background Checks Conducted for PUBLIC 114
Out-of-state Schools Eligible for Maine Tuition Assistance EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K	OTP ONTP	H-189 ACKLEY K

This bill provides that the tuition payment to an out-of-state high school that serves a student who resides in a school administrative unit that does not maintain a high school may not be withheld solely because persons regularly employed in that school do not meet the background check requirements in Maine law. The provisions apply as long as those persons are required to meet background check standards in that state determined by the

Joint Standing Committee on Education and Cultural Affairs

Commissioner of Education to be equivalent to the requirements of Maine law.

House Amendment "A" (H-189)

This amendment provides that an out-of-state secondary school that was included on the list of approved out-of-state secondary schools maintained by the Department of Education for the 2017-2018 school year continues to receive tuition payments for any student who resides in Maine in a school administrative unit that does not maintain a secondary school and who was enrolled at that out-of-state secondary school for the 2018-2019 school year. Tuition payments must continue for such a student until that student graduates or terminates enrollment.

Enacted Law Summary

Public Law 2019, chapter 114 provides that the tuition payment to an out-of-state high school that serves a student who resides in a school administrative unit that does not maintain a high school may not be withheld solely because persons regularly employed in that school do not meet the background check requirements in Maine law. The provisions apply as long as those persons are required to meet background check standards in that state determined by the Commissioner of Education to be equivalent to the requirements of Maine law. The Commissioner of Education is required to adopt routine technical rules to implement this provision.

Public Law 2019, chapter 114 also provides that an out-of-state secondary school that was included on the list of approved out-of-state secondary schools maintained by the Department of Education for the 2017-2018 school year continues to receive tuition payments for any student who resides in Maine in a school administrative unit that does not maintain a secondary school and who was enrolled at that out-of-state secondary school for the 2018-2019 school year. Tuition payments must continue for such a student until that student graduates or terminates enrollment.

Public Law 2019, chapter 114 was enacted as an emergency measure effective May 16, 2019.

LD 395 An Act To Protect Access to Outside-of-school Enrichment Opportunities ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S LUCHINI L	ONTP	

This bill establishes that a school administrative unit may not prohibit a student from accessing outside-of-school enrichment opportunities unless the student is failing to meet academic standards and that a school administrative unit may not prohibit or otherwise restrict an authorized school employee or volunteer from involvement unless the student is failing to meet academic standards or the enrichment opportunity is part of a corporate sponsorship and the employee's or volunteer's involvement is inconsistent with the educational policy of the school administrative unit.

LD 404 An Act To Fund the School Revolving Renovation Fund Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KORNFIELD V CARSON B	OTP-AM ONTP	H-9

This bill provides one-time funds of \$25,000,000 to be deposited in the School Revolving Renovation Fund to be used for the purposes specified in the Maine Revised Statutes, Title 30-A, section 6006-F, subsection 3.