

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> 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 129<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 date for non-emergency legislation enacted in the First Regular Session of the 129<sup>th</sup> 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 438**      **An Act To Allow the Creation of New Innovative School Models by Removing the Cap on the Number of Authorized Charter Schools**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M DILLINGHAM K	ONTP	

This bill removes the cap on the number of charter schools the Maine Charter School Commission may authorize.

**LD 441**      **An Act To Reduce Childhood Exposure to Harmful Ultraviolet Radiation by Allowing Students To Use Sunscreen in Schools**      **PUBLIC 32**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C DOUDERA V	OTP-AM	S-14

This bill allows public school students to possess and use a topical sunscreen product while on school property or at a school-sponsored event without prior authorization from a parent or legal guardian or a note or prescription from a licensed health care professional.

**Committee Amendment "A" (S-14)**

This amendment directs the Commissioner of Education to adopt rules authorizing students who attend public school to possess and use a topical sunscreen product while on school property or at a school-sponsored event without a note or prescription from a licensed health care professional if the product is regulated by the federal Food and Drug Administration for over-the-counter use for the purpose of limiting skin damage from ultraviolet radiation.

**Enacted Law Summary**

Public Law 2019, chapter 32 directs the Commissioner of Education to adopt rules authorizing students who attend public school to possess and use a topical sunscreen product while on school property or at a school-sponsored event without a note or prescription from a licensed health care professional if the product is regulated by the federal Food and Drug Administration for over-the-counter use for the purpose of limiting skin damage from ultraviolet radiation.

**LD 454**      **An Act To Encourage the Purchase of Local Produce for Public Schools**      **PUBLIC 511**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VITELLI E ACKLEY K	OTP-AM ONTP	S-108 S-327 BREEN C

This bill provides funds to the Department of Education to administer the Local Produce Fund and to provide a \$1 match for every \$3 expended by a school administrative unit for produce or minimally processed foods purchased directly from a farmer, farmers' cooperative or local food hub in this State.

**Committee Amendment "A" (S-108)**

This amendment, which is the majority report of the committee, establishes one Education Specialist II position rather than one Education Specialist III position as in the bill. The amendment also provides that the state match is up to a maximum of \$1,000 per school administrative unit in state fiscal year 2019-20 and up to \$1,500 per school

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

administrative unit in state fiscal year 2020-21 and subsequent years.

**Senate Amendment "A" To Committee Amendment "A" (S-327)**

This amendment provides that the state match for the purchase of produce or minimally processed foods purchased directly from a farmer, farmers' cooperative or local food hub in the State is \$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500 per school administrative unit in fiscal year 2020-21 and subsequent years. This amendment also eliminates the General Fund appropriations in the bill.

**Enacted Law Summary**

Public Law 2019, chapter 511 provides funds to the Department of Education to administer the Local Produce Fund and to provide a \$1 match for every \$3 expended by a school administrative unit for produce or minimally processed foods purchased directly from a farmer, farmers' cooperative or local food hub in this State. The law provides that the state match for the purchase of produce or minimally processed foods purchased directly from a farmer, farmers' cooperative or local food hub in the State is \$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500 per school administrative unit in fiscal year 2020-21 and subsequent years.

**LD 464      An Act To Change the Period To Request a Due Process Hearing for Costs Related to a Unilateral Private School Placement from a Public School      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T MILLETT R	ONTP	

This bill removes a requirement that rules adopted by the Commissioner of Education governing due process hearings include a maximum period within which due process hearings and appeals may be requested. It provides that an action against a school administrative unit to recover the costs of a unilateral special education placement in a private school may be commenced only by requesting a due process hearing within 90 days of the placement. It also provides that rules adopted by the Commissioner of Education governing the procedures for conducting due process hearings must include procedures for discovery, including rules for the production of documents.

**LD 468      An Act To Require That the State Fund on an Ongoing Basis a Minimum of 50 Percent of the Costs Associated with Public Preschool Programs      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH D	ONTP	

This bill requires the State to fund a minimum of 50% of the costs of eligible public preschool programs for each year the school administrative unit operates the eligible public preschool program, other than the year in which the school administrative unit receives start-up funds.

**LD 470      An Act To Provide Traffic Safety Education in Schools      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M CARSON B	OTP-AM ONTP	H-83