

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

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

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

Joint Standing Committee on Education and Cultural Affairs

The purpose of this bill is to provide students in Maine with traffic safety education from an early age with the goal of teaching students safe practices and respect for all users of the road in order to reduce the unacceptable number of pedestrian and bicyclist fatalities and make Maine's roadways safer and more enjoyable for all users.

This bill requires all school administrative units to provide at least one hour annually of age-appropriate traffic safety education to students in grades 2 to 12. The traffic safety education program must provide, at a minimum, instruction on the use of public and private ways by pedestrians, bicyclists and motor vehicle operators and on the laws and rules regarding that use. A school administrative unit may contract with a third party to provide the traffic safety education.

Committee Amendment "A" (H-83)

This amendment, which is the majority report of the committee, modifies the requirements in the bill for age-appropriate traffic safety education in school administrative units. The amendment provides that the traffic safety education must be provided annually to at least four different grade levels from kindergarten to grade eight instead of annually in grades 2 to 12. The amendment also strikes the requirement that the education be at least one hour in length.

This amendment also provides funding for 90% of the cost to school administrative units to implement the traffic safety education curriculum. The amendment also specifies that outside funding may be accepted by the Department of Education and expended for the purpose of traffic safety education annually.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 484 Resolve, To Establish a Maine State High School Diploma ONTP

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

This resolve directs the Department of Education, in consultation with the State Board of Education, to develop a Maine state high school diploma and report to the Joint Standing Committee on Education and Cultural Affairs on its findings and recommendations no later than January 15, 2020.

LD 502 An Act To Establish the Summer Success Pilot Program Fund CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T BREEN C	OTP-AM ONTP	H-200

This bill establishes the Summer Success Program Fund, a dedicated fund to be directed and administered by the Commissioner of Education and held by the Treasurer of State, to encourage the facilitation of high-quality summer success programs in school administrative units throughout the State. The bill accomplishes the following.

1. It provides that money paid into the fund may include General Fund appropriations, as well as grants, gifts and other money from any unit of federal, state or local government or from any person, firm, partnership or corporation for deposit to the fund, money received from a social impact bond and interest, dividends and other pecuniary gains. It requires that school administrative units ensure that grants provided from the fund for expanding access to summer success programs supplement and not supplant federal funding.