

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

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STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



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 662 An Act To Count Study Abroad toward Secondary School Credit

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU J POULIOTM	OTP-AM	H-54

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires school administrative units to award course credit to students who have studied abroad by awarding the student elective credit based on hours of instruction received abroad or by awarding credit hours in the relevant content area if the student receives third-party certification or if the student passes a summative assessment.

Committee Amendment "A" (H-54)

This amendment amends the bill by requiring school boards to adopt a policy on awarding credit to students who have studied abroad. The school board may include in the policy that the school administrative unit award credit as elective credit, through third-party certification or based on a summative assessment.

This amendment also requires the Department of Education to issue an administrative letter to school boards and superintendents addressing the benefits of proactive communication between the school administrative unit and parents of a student and the student regarding the credit options available to the student prior to the student's participation in the study abroad program.

This amendment also incorporates a fiscal note. The fiscal note identifies the requirement that local school boards adopt a policy on awarding credit to students who have studied abroad as a potential unfunded state mandate. The committee reviewed the fiscal note and determined that requiring a school board to adopt a policy on awarding credit to students who have studied abroad is not an unfunded mandate. Because school boards have a duty to adopt policies that govern school administrative units pursuant to the Maine Revised Statutes, Title 20-A, section 1001, subsection 1-A, and because Title 20-A requires school administrative units to provide students with opportunities for learning in multiple pathways, the requirement that local school boards adopt a policy on awarding credit to students who have studied abroad does not require an expansion or modification of activities so as to necessitate additional expenditures.

This bill was carried over to any special session of the 129th Legislature by joint order, S.P. 788. It was carried over on the Special Appropriations Table.

LD 665 Resolve, Directing the Office of the Attorney General To Review Free Speech on Public College and University Campuses

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS J FARRIN B	OTP-AM OTP-AM	H-395

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill authorizes a person who wishes to engage in an expressive activity, as defined in the bill, in an outdoor area of campus of a public institution of higher education to do so freely as long as the person's conduct is lawful

Joint Standing Committee on Education and Cultural Affairs

and does not materially and substantially disrupt the functioning of the public institution of higher education. It prohibits a public institution of higher education from designating an area of campus as a free speech zone or otherwise creating policies restricting expressive activities to a particular outdoor area of campus, except that it allows public institutions of higher education to create and enforce restrictions on time, place and manner of expression that are reasonable and content-neutral. The Attorney General has the authority to enforce compliance, and a person whose rights are violated may bring an action to enjoin violations and to recover compensatory damages, reasonable court costs and attorney's fees.

Committee Amendment "A" (H-395)

This amendment, which is the majority report of the committee, directs the Office of the Attorney General to review whether there have been any instances in the State in which the University of Maine System, Maine Community College System or Maine Maritime Academy has violated or otherwise restricted a student's free speech rights protected under the United States Constitution, Amendment I and the Constitution of Maine, Article I, review whether additional protections are necessary under state law and report to the Joint Standing Committee on Judiciary no later than January 1, 2020. The Joint Standing Committee on Judiciary may report out a bill to the Second Regular Session of the 129th Legislature. The amendment also adds an appropriations and allocations section.

This bill was again carried over, still on the Special Appropriations Table, to any special session of the 129th Legislature by joint order, S.P. 788.

LD 703 An Act To Help Maine Students Succeed

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETTR		

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to help Maine students succeed.

This bill, which had been voted but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 712 An Act To Increase the School Construction Debt Service Limit

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN M CHIPMAN B	OTP-AM ONTP	H-290

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill amends the school funding formula to fund after-school programs based on the state share percentage and to fund public preschool programs at 50% of the cost of the programs, or if a school administrative unit's state share percentage is greater than 50%, to fund the unit's public preschool program at the state share percentage. The bill also increases the additional weight for economically disadvantaged students from 0.15 to 1.5. The bill also raises