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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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.

Enacted Law Summary

Public Law 2019, chapter 202 repeals the provisions of law that allow diplomas indicating graduation from a secondary school to be based on a student's demonstration of proficiency. It amends the law regarding high school to establish as fundamental policies of the diploma standards that:

1. Establihing that a diploma indicating graduation from a secondary school signifies that the graduate has completed high school diploma requirements and is ready to enter a postsecondary educational program or a career as a clear and effective communicator, a self-directed and lifelong learner, a creative and practical problem solver, a responsible and involved citizen and an informed and integrative thinker;

2. School administrative units must align their instruction with the system of learning results; and that school administrative units are encouraged to develop innovative multiple pathways that allow all students to learn and demonstrate their achievement through multiple means and measures.

3. Instruction in the required subjects may be provided through the current year-based requirements or through the equivalent in standards achievement; and

4. A child with a disability who satisfies the local diploma requirements in the manner specified by the child's individualized education plan must be awarded a high school diploma and provides that career and technical education students, consistent with the approval of the commissioner and the local school board, may satisfy instructional requirements through separate or integrated study within the career and technical education school curriculum.

LD 987	An Act To Provide Autonomy for Health Care Providers To Practice Patient-centered Care by Amending the Laws Governing Medical Exemptions to Immunization Requirements		Accepted Majority (ONTP) Report

Sponsor(s)	Committee Report	Amendments Adopted
BLACK R	ONTP	
SAMPSON H	OTP	

This bill provides that a medical exemption from immunization for the purposes of attendance at a nursery school, a child care facility, a family child care provider or an elementary, secondary or postsecondary school, or for employees at certain health care facilities, is at the sole discretion of the student's or employee's health care provider. It prohibits the adoption of rules or policies related to medical exemptions, including, but not limited to, rules or policies that establish requirements for medical exemptions and rules or policies requiring the review, acceptance or rejection of medical exemptions. The bill also removes the authority of school boards, the governing boards of private schools and municipalities to have more stringent immunization requirements than state law.

LD 997	An Act To Promote Social and Emotional Learning and Development for Young Children		PUBLIC 481

Sponsor(s)	Committee Report	Amendments Adopted	
BREEN C	OTP-AM	S-191	
GATTINE D	ONTP	S-334	BREEN C

This bill requires the Commissioner of Education to implement, beginning September 1, 2020, a statewide voluntary early childhood consultation program to provide support, guidance and training to families, early care and education teachers and providers working in public elementary schools, child care facilities, family child care settings and Head Start programs serving infants and young children who are experiencing challenging behaviors that put them

at risk of learning difficulties and removal from early learning settings. The bill requires the Department of Education to design and implement the program and to report to the joint standing committee of the Legislature having jurisdiction over education matters on the implementation of the statewide voluntary early childhood consultation program.

Committee Amendment "A" (S-191)

This amendment, which is the majority report of the committee, provides that any record about a child created as a result of an early childhood consultation program must be made available to the parents or guardians of that child and may not become part of the child's education record.

The amendment also stipulates that 50% of the costs of the early childhood consultation program established under the bill is to be funded using funds transferred to the Department of Education by the Department of Health and Human Services that are provided to the Department of Health and Human Services under the Temporary Assistance for Needy Families block grant that are available under Title IV-A of the United States Social Security Act or that are transferred to the Department of Health and Human Services from that block grant authorized under Title XX of the United States Social Security Act.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-334)

This amendment changes the responsibility for the statewide voluntary early childhood consultation program from the Department of Education to the Department of Health and Human Services and makes other minor changes to reflect the change in responsibility.

Enacted Law Summary

Public Law 2019, chapter 481 requires the Commissioner of Health and Human Services to implement, beginning September 1, 2020, a statewide voluntary early childhood consultation program to provide support, guidance and training to families, early care and education teachers and providers working in public elementary schools, child care facilities, family child care settings and Head Start programs serving infants and young children who are experiencing challenging behaviors that put them at risk of learning difficulties and removal from early learning settings. The law requires the Department of Health and Human Services to design and implement the program and to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the implementation of the statewide voluntary early childhood consultation program.

The law provides that any record about a child created as a result of an early childhood consultation program must be made available to the parents or guardians of that child and may not become part of the child's education record.

Public Law 2019, chapter 481 also stipulates that 50% of the costs of the early childhood consultation program established under the bill is to be funded by the Temporary Assistance for Needy Families block grant that are available under Title IV-A of the United States Social Security Act or that are transferred to the Department of Health and Human Services from that block grant authorized under Title XX of the United States Social Security Act.

LD 1010	Resolve, Directing the Department of Education To Develop a Model School Disciplinary Policy		RESOLVE 31

Sponsor(s)	Committee Report	Amendments Adopted
MORALES V	OTP-AM	H-129
SANBORN L	ONTP	