

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

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

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

Joint Standing Committee on Education and Cultural Affairs

This resolve requires the Department of Education to develop a model school disciplinary policy that focuses on positive and restorative interventions designed to strengthen relationships, improve the connection to school, promote a strong sense of accountability and close economic and racial gaps. It also requires the department to provide support to school administrative units that choose to implement the model policy.

Committee Amendment "A" (H-129)

This amendment, which is the majority report of the committee, adds a requirement that the Department of Education's model school disciplinary policy promote interventions designed to close disability-related and gender gaps and requires the department, while developing the model school disciplinary policy, to review existing law regarding disciplinary policies and report back to the Joint Standing Committee on Education and Cultural Affairs on any recommended legislation on disciplinary policies no later than January 15, 2020. The committee may report out a bill to the Second Regular Session of the 129th Legislature to implement the recommendations on school disciplinary policies.

Enacted Law Summary

Resolve 2019, chapter 31 requires the Department of Education to develop a model school disciplinary policy that focuses on positive and restorative interventions designed to strengthen relationships, improve the connection to school, promote a strong sense of accountability and close economic, disability-related, gender and racial gaps and to review existing law regarding disciplinary policies and report back to the Joint Standing Committee on Education and Cultural Affairs on any recommended legislation on disciplinary policies no later than January 15, 2020. The committee may report out a bill to the Second Regular Session of the 129th Legislature to implement the recommendations on school disciplinary policies.

LD 1024 An Act To Destigmatize Mental Illness through Health Instruction That Emphasizes the Relationship between Physical and Mental Health in Schools

PUBLIC 106

Sponsor(s)
CARSON B

Committee Report
OTP-AM

Amendments Adopted
S-58

This bill requires health education instruction in elementary, middle, junior high and high school to include instruction in mental health and the relationship between physical and mental health.

Committee Amendment "A" (S-58)

The bill requires health education instruction in elementary, middle, junior high and high school to include instruction in mental health and the relationship between physical and mental health. This amendment clarifies that health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.

Enacted Law Summary

Public Law 2019, chapter 106 requires health education instruction in elementary, middle, junior high and high school to include instruction in mental health and the relationship between physical and mental health. The law also provides that health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.