

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

1. Standards for public preschool programs;
2. A process for approval and certification of programs not operated by a school administrative unit, including, but not limited to, a Head Start program or other program affiliated with the school administrative unit; and
3. Funding for public preschool programs.

The Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 129th Legislature to implement the recommendations in the report.

Committee Amendment "A" (H-256)

This amendment provides that it is the goal of the State to provide adequate start-up funding to ensure that public preschool programs for children 4 years of age are offered by all school administrative units by the 2023-2024 school year and requires the Department of Education to include in its funding recommendations funding options to encourage more public preschool programs.

The substance of this amendment was included in LD 1001, which was enacted as Public Law 2019, chapter 343.

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 1050	An Act To Require Education about African-American History and the History of Genocide	CARRIED OVER
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCINI L GROHOSKIN	OTP-AM OTP-AM	H-520 TALBOT ROSS R S-147

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

This bill requires instruction in the Holocaust developed by the Commissioner of Education to be provided in and required for graduation from all elementary and secondary schools, both public and private.

Committee Amendment "A" (S-147)

This amendment replaces the bill. It requires that the history of genocide, including the Holocaust, to be taught in schools, aligned with the parameters for essential instruction and graduation requirements and included in the review of content standards and performance indicators of the system of learning results. It adds an appropriations and allocations section.

The fiscal note on this amendment identifies certain requirements in the amendment as a potential state mandate. In order to be a mandate pursuant to the Constitution of Maine, a provision must require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The committee finds that the provision in the bill requiring the history of genocide to be taught in schools, the provision the fiscal note identifies as potentially a mandate, does not create a mandate since the history of genocide relates to topics already required to be taught in schools and so should not cause any school to expand or modify its activities so as to necessitate additional expenditures from local revenue.

Joint Standing Committee on Education and Cultural Affairs

Committee Amendment "B" (S-148)

This amendment replaces the bill with a resolve that directs the Commissioner of Education to expedite the consideration of the instruction in the history of genocide, including the Holocaust, in the next review of the content standards and performance indicators for the content area of social studies under the Maine Revised Statutes, Title 20-A, section 6209, subsection 4. The commissioner also shall develop resources relating to instruction in the history of genocide, including the Holocaust, and make them readily available on the Department of Education's publicly accessible website.

This amendment was not adopted.

House Amendment "A" To Committee Amendment "A" (H-485)

This amendment requires that African-American history and culture be taught in schools, aligned with the parameters for essential instruction and graduation requirements and included in the review of content standards and performance indicators of the system of learning results.

This amendment directs the Department of Education to convene two volunteer advisory groups to collect information and prepare and make available materials for teaching African-American history and culture and the history of genocide in accordance with this legislation.

This amendment also provides that the addition of African-American history and the history of genocide to the school curriculum takes effect July 1, 2020 so as to be in effect for the 2020-2021 school year.

This amendment was not adopted.

House Amendment "B" To Committee Amendment "A" (H-520)

This amendment requires that African-American history and culture be taught in schools, aligned with the parameters for essential instruction and graduation requirements and included in the review of content standards and performance indicators of the system of learning results. This amendment directs the Department of Education to convene 2 volunteer advisory groups to collect information and prepare and make available materials for teaching African-American history and culture and the history of genocide in accordance with this legislation.

This amendment also provides that the addition of African-American history and the history of genocide to the school curriculum takes effect July 1, 2020 so as to be in effect for the 2020-2021 school year.

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 1376 An Act To Direct the Department of Education To Amend Its Rules To CARRIED OVER
Ensure That Physical Restraint and Seclusion Policies Are Followed and
Make Biennial Reports on the Use of Physical Restraint and Seclusion

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH D	OTP-AM ONTP	H-617

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 directs the Department of Education to amend its rule Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty to include concepts from and references to the department's rule Chapter 33: Rule Governing Physical Restraint and Seclusion.