

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> 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

129<sup>TH</sup> 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 129<sup>th</sup> 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 129<sup>th</sup> 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*

This bill also directs schools to make annual reports to the department regarding incidents of physical restraint and seclusion and directs the Commissioner of Education to report biennially to the Governor and the Legislature on data regarding the use of physical restraint and seclusion.

**Committee Amendment "A" (H-617)**

This amendment, which is the majority report of the committee, strikes and replaces the bill. It directs schools to submit annual reports to the Department of Education regarding incidents of physical restraint and seclusion including the number of uses and number of students, broken down by grade level or age group, gender, race and type of education plan, and the number of injuries to students and to staff and directs the Commissioner of Education to report biennially to the Governor and the Legislature on data regarding the use of physical restraint and seclusion. It also directs the Department of Education to, by rule, develop and implement a performance review system to define and monitor all schools' use of physical restraint and seclusion.

The amendment also requires the Department of Education to submit major substantive rules by December 5, 2019, provide guidance to schools regarding these rules and submit a plan by January 15, 2020 to the Joint Standing Committee on Education and Cultural Affairs on professional development opportunities to promote preventive practice models that will reduce dependence on physical restraint and seclusion.

The amendment also adds an appropriations and allocations section and incorporates a fiscal note. The fiscal note identifies the requirement that school administrative units break down the aggregate data by grade level or age group, gender, race and type of plan as a potential unfunded state mandate. Because schools are already required to collect this data pursuant to department rule Chapter 33: Rule Governing Physical Restraint and Seclusion, the committee finds this additional requirement does not require an expansion or modification of activities so as to necessitate additional expenditures.

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 1521      An Act To Expand Skill Development Opportunities for Maine Youth      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L KORNFIELDV	ONTP	

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

This bill directs the Department of Education, in consultation with the Department of Labor, to develop an internship program for students who are 23 years of age or younger. The internship program developed by the department would authorize participants to receive compensation options, in combination with a variable hourly wage that is equal to or greater than the federal minimum wage, that may include academic credits, credentials of value and stackable credentials. The Department of Education is directed to submit a report outlining the internship program developed, together with any necessary implementing legislation, to the Joint Standing Committee on Education and Cultural Affairs by December 4, 2019.

In addition, to facilitate participation in the Maine Apprenticeship Program established under the Maine Revised Statutes, Title 26, section 3202, this bill directs the Department of Labor to calculate the amount of funding and the number of positions it would require in order to establish an apprenticeship coordinator at each career and technical education center in the State and report this information to the Joint Standing Committee on Education and Cultural

*Joint Standing Committee on Education and Cultural Affairs*

Affairs by December 4, 2019.

**LD 1606 An Act To Increase Funding for Career and Technical Education Programs**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J STANLEY S	OTP-AM OTP-AM	

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

This bill provides an additional \$1,500,000 per year for the cost of career and technical education pursuant to the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 1. It also removes the so-called "cap" and hold harmless provision that limits the amount of any decrease or increase in the total allocation for a career and technical education center or career and technical education region, effective January 1, 2020.

**Committee Amendment "A" (S-423)**

This amendment, which is the majority report of the committee, caps at 15% the total allocation for career and technical education centers and regions whose sum of the components in the Maine Revised Statutes, Title 20-A, section 15688-A is more than 15% greater than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year. This amendment also adds an appropriations and allocations section.

The substance of this amendment was incorporated into the supplemental budget, which was enacted as Public Law 2019, chapter 616.

**Committee Amendment "B" (S-424)**

This amendment, which is the minority report of the committee, corrects an error made in Public Law 2019, chapter 343, Part AAAAA by establishing a cap of 5% on career and technical education centers and regions whose sum of the components in the Maine Revised Statutes, Title 20-A, section 15688-A is more than 5% greater than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year.

This bill was carried over in the House to any special session of the 129th Legislature by joint order, S.P. 788.

**LD 1607 An Act To Create the Department of Early Care and Learning**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R KORNFIELD V	ONTP	

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. It proposes to create the Department of Early Care and Learning as a cabinet-level state agency within the executive branch of State Government. The department would assume primary responsibility for matters regarding children under 6 years of age in the State, including the care, health care and education of the children that are now the responsibility of the Department of Health and Human Services and the Department of Education.