

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**

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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

LD 1765 An Act To Expand and Clarify the Prohibition of Hazing at Elementary Schools, Secondary Schools and Postsecondary Institutions

PUBLIC 372

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T POULIOT M	OTP-AM	H-529

This bill updates the prohibition of hazing in elementary, secondary and postsecondary schools and institutions as follows:

1. Expanding and clarifying the activity that constitutes hazing;
2. Making it explicit that the prohibition applies to public and private elementary, secondary and postsecondary schools;
3. Making hazing a Class E crime;
4. Disallowing defenses such as consent or willing participation of the subject of the hazing, that no injury or damage resulted from the hazing or that the hazing was not sanctioned by or part of an organization's membership requirements; and
5. Providing immunity from civil or criminal liability for reporting or attempting to prevent hazing.

Committee Amendment "A" (H-529)

This amendment strikes and replaces the bill and clarifies that the definition of hazing means any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a school or postsecondary institution in the State, or any activity expected of a student as a condition of joining or maintaining membership in a group that humiliates, degrades, abuses or endangers the student, regardless of the student's willingness to participate in the activity.

Enacted Law Summary

Public Law 2019, chapter 372 updates the prohibition of hazing in elementary, secondary and postsecondary schools and institutions by amending the definition of hazing to mean any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a school or postsecondary institution in the State, or any activity expected of a student as a condition of joining or maintaining membership in a group that humiliates, degrades, abuses or endangers the student, regardless of the student's willingness to participate in the activity.

LD 1773 An Act To Clarify Bonding Authority for School Management and Leadership Centers

PUBLIC 336

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DODGE J	OTP-AM	H-505

This bill amends the law governing bonding authority of school management and leadership centers. The bill provides the provisions necessary to implement existing statutory authority of school management and leadership centers to issue bonds for school construction. These provisions are comparable to existing law for school construction bonds issued by school administrative units or by career and technical education regions. The bonding provisions include a debt limit of 4% of state-adjusted valuation; a debt limit exclusion for state-subsidized debt; a

Joint Standing Committee on Education and Cultural Affairs

25-year maximum bond term; a method for debt allocation, assessment and collection; and the rights of bondholders to enforce the payment of bonds to facilitate their sale.

Committee Amendment "A" (H-505)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2019, chapter 336 amends the law governing bonding authority of school management and leadership centers, which will be known as "education service centers." It provides the provisions necessary to implement existing statutory authority of school management and leadership centers to issue bonds for school construction. These provisions are comparable to existing law for school construction bonds issued by school administrative units or by career and technical education regions. The bonding provisions include a debt limit of 4% of state-adjusted valuation; a debt limit exclusion for state-subsidized debt; a 25-year maximum bond term; a method for debt allocation, assessment and collection; and the rights of bondholders to enforce the payment of bonds to facilitate their sale.

LD 1341, An Act to Provide Flexibility for Efficient and Effective Management of School Management and Leadership Centers, enacted pursuant to Public Law 2019, chapter 219, amended the name of school management and leadership centers to "education service centers."

LD 1778 An Act To Amend the Laws Concerning the Children's Cabinet and Its Advisory Councils

PUBLIC 450

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT R FARNSWORTH D	OTP-AM ONTP	S-267

This bill does the following:

1. Amends certain provisions governing the Children's Cabinet;
2. Eliminates the Maine Children's Growth Council;
3. Eliminates the Child Care Advisory Council; and
4. Establishes the Maine Children's Cabinet Early Childhood Advisory Council to develop and evaluate under the direction of the Children's Cabinet a plan for the healthy development of the State's young children and their families.

Committee Amendment "A" (S-267)

This amendment, which is the majority report of the committee, does the following:

1. Amends the membership of the Maine Children's Cabinet Early Childhood Advisory Council to include two members of the Senate and two members of the House of Representatives, one from each of the two political parties having the greatest number of members in the House and Senate. It also requires that the member who is the parent of a young child be appointed by the Speaker of the House and the member representing child abuse and neglect prevention be appointed by the President of the Senate and adds two members who represent public and private family child care providers nominated by their organizations and appointed by the Children's Cabinet;
2. Requires the council to submit its annual report to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and health and human services matters in addition to the Children's