

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

This bill eliminates the Child Development Services System and moves the entire responsibility for providing services to children from birth to under three years of age to the Department of Education's Office of Special Services. The funding plan continues the present arrangement of full responsibility for costs being shared among state funds, federal funds, the MaineCare program and private insurers.

Under this bill, the State continues its current practice of funding all services for preschool children with disabilities that are not paid for with federal funds, MaineCare funds or private funds.

LD 1813 Resolve, To Ensure Safe and Inclusive Learning Environments

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-702

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

This resolve directs the Commissioner of Education to convene a working group to review and develop recommendations to ensure safe and inclusive learning environments for LGBTQ students and educators in Maine schools. The commissioner is required to submit the working group's report to the Legislature by December 1, 2019. The Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 129th Legislature based on the recommendations.

For purposes of this resolve, "LGBTQ" includes but is not limited to lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual.

Committee Amendment "A" (H-702)

This amendment provides that the members of the Department of Education included in the working group must include members with expertise in school safety and security. The amendment also changes the reporting date to require that the report be submitted no later than December 1, 2020 for presentation to the First Regular Session of the 130th Legislature and provides that the joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out legislation to the First Regular Session of the 130th Legislature. This amendment also adds an appropriations and allocations section.

This Resolve was carried over on the Special Appropriations Table to any special session of the 129th Legislature by joint order S.P. 788.

LD 1849 An Act Regarding the Laws Governing the Maine School for Marine Science, Technology, Transportation and Engineering

**PUBLIC 531
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E		

This bill was introduced and finally disposed of during the First Special Session of the 129th Legislature. This bill was not referred to committee.

This bill delays the termination date of the Maine School for Marine Science, Technology, Transportation and Engineering, also known as the Ocean School, to 90 days after adjournment of the Second Regular Session of the 129th Legislature.

Joint Standing Committee on Education and Cultural Affairs

Enacted Law Summary

Public Law 2019, chapter 531 delays the termination date of the Maine School for Marine Science, Technology, Transportation and Engineering, also known as the Ocean School, to 90 days after adjournment of the Second Regular Session of the 129th Legislature.

Public Law 2019, chapter 531 was enacted as an emergency measure effective August 30, 2019.

LD 1855 An Act To Include Student Absences for Mental Health or Behavioral Health Needs as Excusable Absences

PUBLIC 562

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J CLAXTON N	OTP-AM ONTP	H-671

Current law provides that a person's absence from school is excused when the absence is due to personal illness. This bill specifies that a person's absence is excused when the absence is due to reasons of personal health, including the person's mental and behavioral health.

Committee Amendment "A" (H-671)

This amendment specifies that a person's absence from school is excused when the absence is due to reasons of physical health, as well as the person's mental and behavioral health.

Enacted Law Summary

Public Law 2019, chapter 562 specifies that a person's absence from school is excused when the absence is due to reasons of physical health, as well as the person's mental and behavioral health.

LD 1857 An Act To Protect Teachers from Punitive or Retaliatory Transfers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREAD MILLETTR	ONTP	

This bill prohibits the transfer of a teacher to another location or teaching assignment for a punitive or retaliatory reason without the teacher's consent. It authorizes a teacher who has been involuntarily transferred to request a hearing with the school board and requires the school board to reverse the transfer if the teacher demonstrates that the transfer was for a punitive or retaliatory reason.

LD 1858 An Act To Protect Teachers from Professional Teacher Certificate Endorsement Changes

PUBLIC 584

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREAD MILLETTR	OTP-AM	H-676

This bill provides that a rule adopted by the State Board of Education that amends specifications for grades or subject areas endorsements for a professional teacher certificate does not apply to the endorsements on a professional teacher certificate held by a person if the endorsements were issued prior to or during the school year