

# 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.

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during the final year of the teacher's certificate.

**Committee Amendment "A" (H-703)**

This amendment removes the reference to a provisional certificate, which is no longer used by the Department of Education.

**Enacted Law Summary**

Public Law 2019, chapter 610 provides that, upon the request of a school administrative unit, the Commissioner of Education must grant an extension on a teacher's conditional or professional certificate if the teacher uses family medical leave within the teacher's final year of certification and the school administrative unit provides sufficient proof of the use of family medical leave. The extension is for the same number of days as the family medical leave used during the final year of the teacher's certificate.

**LD 2046 An Act Regarding Immunizations**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIPPING R		

This bill exempts children who are enrolled in or attend a virtual public charter school from the requirement that a child may not be enrolled in or attend school without evidence of immunization.

The bill also amends the law governing the Universal Childhood Immunization Program to include persons who are 18 years of age or younger and are enrolled in or have been offered enrollment in a private or public postsecondary educational institution in the State.

The bill also corrects an error in Public Law 2019, chapter 154 by providing that the exemption from immunization requirements based on religious or philosophical beliefs for employees of health care facilities takes effect September 1, 2021. The correction is contingent on Public Law 2019, chapter 154 being ratified by a majority of voters and taking effect in accordance with the Constitution of Maine, Article IV, Part Third, Section 17.

This bill, which had not yet been voted by the committee, was carried over to any special session of the 129th Legislature by joint order, S.P. 788.

**LD 2071 Resolve, Regarding Legislative Review of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a Major Substantive Rule of the Department of Education and the State Board of Education**

**RESOLVE 131 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-738

This resolve provides for legislative review of portions of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-738)**

This amendment changes the title of the resolve and provides that final adoption of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units is authorized only if the department incorporates certain

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specific amendments to the rule prior to adoption.

**Enacted Law Summary**

Resolve 2019, chapter 131 provides that final adoption of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a major substantive joint rule of the Department of Education and the State Board of Education is authorized only if the department incorporates certain specific amendments to the rule prior to final adoption.

Resolve 2019, chapter 131 was enacted as an emergency measure effective March 18, 2020.

**LD 2072      Resolve, Regarding Legislative Review of Portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education      **RESOLVE 132****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-714 H-745    KORNFIELD V

This resolve provides for legislative review of portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-714)**

This amendment, which is the majority report of the committee, authorizes the Department of Education to finally adopt the provisionally adopted rule Chapter 132: Learning Results: Parameters for Essential Instruction only if specified changes are made.

**House Amendment "A" To Committee Amendment "A" (H-745)**

This amendment removes the emergency preamble and emergency clause.

**Enacted Law Summary**

Resolve 2019, chapter 132 provides that final adoption of portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a major substantive rule of the Department of Education, is authorized only if the department incorporates certain specific amendments to the rule prior to final adoption.

Resolve 2019, chapter 132 was enacted as an emergency measure effective March 18, 2020.

**LD 2075      Resolve, Regarding Legislative Review of Portions of Chapter 115: Part II Requirements for Specific Certificates and Endorsements, a Major Substantive Rule of the State Board of Education      **RESOLVE 134 EMERGENCY****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-774

This resolve provides for legislative review of portions of Chapter 115: Part II Requirements for Specific Certificates and Endorsements, a major substantive rule of the Department of Education.