

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON EDUCATION
AND CULTURAL AFFAIRS**

October 2023

STAFF:

HILLARY RISLER, LEGISLATIVE ANALYST
ELENA ROIG, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla>

MEMBERS:

SEN. JOSEPH RAFFERTY, CHAIR
SEN. TERESA PIERCE
SEN. JAMES LIBBY

REP. MICHAEL F. BRENNAN, CHAIR
REP. JANICE S. DODGE
REP. REBECCA J. MILLETT
REP. HOLLY T. SARGENT
REP. KELLY NOONAN MURPHY
REP. J. MARK WORTH
REP. HEIDI H. SAMPSON
REP. SHEILA A. LYMAN
REP. EDWARD J. POLEWARCZYK
REP. BARBARA A. BAGSHAW

STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. 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 343 An Act to Invest in an Educational Technician Training Program to Address Shortages in Public Schools

ENACTED LAW SUMMARY

Public Law 2023, chapter 453 provides one-time funds of \$200,000 to support the Learning Facilitator Credential Program at Eastern Maine Community College.

LD 393 Resolve, Regarding Legislative Review of Portions of Chapter 33: Rules Governing Physical Restraint and Seclusion, a Major Substantive Rule of the Department of Education

ENACTED LAW SUMMARY

Resolve 2023, chapter 49 authorizes final adoption of the Department of Education's major substantive rule Chapter 33: Rules Governing Physical Restraint and Seclusion only if the rule is amended to require meetings after every 3 incidents of physical restraint or seclusion except that provides that schools are not required to hold more than one meeting within any 30-school-day period.

Resolve 2023, chapter 49 was finally passed as an emergency measure effective June 16, 2023.

LD 394 Resolve, Regarding Legislative Review of Chapter 117: Rule Regarding the Duties of School Counselors and School Social Workers, a Major Substantive Rule of the Department of Education

ENACTED LAW SUMMARY

Resolve 2023, chapter 31 authorizes final adoption of the Department of Education's major substantive rule chapter 117: Rule Regarding the Duties of School Counselors and School Social Workers.

LD 436 An Act to Provide Career and Technical Education Students with Credit Toward High School Graduation for Work Completed in Career and Technical Education Centers and Regions

ENACTED LAW SUMMARY

Public Law 2023, chapter 247 requires that, before the school year beginning after June 30, 2025, cooperative agreements between school administrative units and career and technical education centers and regions must include an equivalency agreement for credit gained through a career and technical education program to be accepted as core credit toward a high school diploma and

JOINT STANDING COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

provides that career and technical education students may satisfy local diploma requirements in accordance with the equivalency agreements included in the cooperative agreements.

Public Law 2023, chapter 247 requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, section 21, 2/3 of all of the members elected to each House have determined it necessary to enact Public Law 2023, chapter 247.

LD 477 Resolve, Directing the Department of Education, Maine School Safety Center to Convene a Stakeholder Group to Develop Best Practices for Lockdown Drills and Active Shooter Drills and Allowing Parents to Opt Out of Active Shooter Drills for Their Children

ENACTED LAW SUMMARY

Resolve 2023, chapter 115 directs the Department of Education, Maine School Safety Center to convene a stakeholder group to develop best practices for lockdown and active shooter drills implemented by school administrative units to minimize traumatic impact on students and school staff and report back to the joint standing committee having jurisdiction over education and cultural affairs by January 1, 2025 on the work of the stakeholder group. The report must include information regarding the best practices for lockdown drills and active shooter drills and a plan for all school staff to be trained in their school administrative unit's emergency plan prior to January 1, 2026, an evaluation of the effectiveness of the range of lockdown drills and active shooter drills as implemented by public schools at increasing safety, the traumatic impact of lockdown drills and active shooter drills on students and school staff, the number of school administrative units using best practices for lockdown drills and active shooter drills and other strategies to ensure students and school staff are prepared to respond to emergencies, including school shootings.

Resolve 2023, chapter 115 also requires the Department of Education to amend the rule to allow parents to opt out of active shooter drills for their children.

LD 485 Resolve, Directing the State Board of Education to Study Educator Credential Requirements

ENACTED LAW SUMMARY

Resolve 2023, chapter 54 requires the State Board of Education to study potential changes to the State Board of Education rule Chapter 115: The Credentialing of Education Personnel. The study must include, but is not limited to, review of athletic director qualifications, the industrial arts endorsement, waivers for educators holding certificates from the National Board for Professional Teaching Standards, reciprocity for educators holding out-of-state certification and any other revisions the State Board of Education identifies.