

**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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129<sup>TH</sup> LEGISLATURE  
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS**

**SPECIAL NOTICE REGARDING  
COVID-19 PANDEMIC**

As a result of the COVID-19 Pandemic, the Second Regular Session of the 129<sup>th</sup> Legislature adjourned on March 17, 2020, nearly a month prior to the statutory adjournment date of April 15, 2020. Before adjourning, the Legislature passed Joint Order, S.P. 788:

“ORDERED, the House concurring, that all matters not finally disposed of upon the adjournment sine die of the Second Regular Session of the 129<sup>th</sup> Legislature be carried over, in the same posture, to any special session of the 129<sup>th</sup> Legislature.”

The “matters not finally disposed of” were in many different postures upon adjournment. In this digest, at the end of each summary of a bill that was carried over by S.P. 788, there is an indication of the posture of the bill at the time of adjournment.

No special session has been held as of the publication of the Digest and none is anticipated, so all bills carried over are expected to die upon the conclusion of the 129<sup>th</sup> Legislature. However, after the Second Regular Session adjourned and in preparation for the possibility of a special session, a number of committees met and considered a number of bills in their possession. One hundred and sixty bills were acted upon in some way by committees (voted or reported out), among them several new bills that were printed and referred to committee, worked and reported out. **Appendix A** provides a list of the bills that were voted or reported out of committees after the Second Regular Session adjourned.



*Joint Standing Committee on Education and Cultural Affairs*

**LD 136      Resolve, To Require the Department of Education To Study and Report  
on the Special Education Funding Component of the School Funding  
Formula**

**HELD BY  
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUDNICKI S	OTP-AM	H-743

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

This bill establishes the special education circuit breaker reimbursement program, in which the Department of Education reimburses school administrative units, for a student whose eligible special education costs exceed four times the statewide EPS per-pupil rate, 75% of the amount of the special education costs that are above four times the statewide EPS per-pupil rate. The bill requires the department to distribute reimbursements to eligible school administrative units on a quarterly basis, and the reimbursements must be deposited in a separate revolving account that may be spent only on approved special education services.

**Committee Amendment "A" (H-743)**

This amendment, which strikes and replaces the bill with a resolve, requires the Department of Education to study and report to the joint standing committee of the Legislature having jurisdiction over education matters on the department's continued work with the Maine Education Policy Research Institute on the special education funding component of the school funding formula, including but not limited to an examination of the special education budgetary hardship adjustment. The joint standing committee may report out a bill to the First Regular Session or Second Regular Session of the 130th Legislature.

**LD 178      An Act To Increase the State Share of the Cost of Health Insurance for  
Retired Teachers**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINGS B SANBORNH	OTP-AM ONTP	H-701

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

Current law requires the State to pay 45% of a retired teacher's share of the premium for group accident and sickness or health insurance. This bill raises that percentage to 50% from July 1, 2019 to June 30, 2020; 55% from July 1, 2020 to June 30, 2021; 60% from July 1, 2021 to June 30, 2022; 65% from July 1, 2022 to June 30, 2023; 70% from July 1, 2023 to June 30, 2024; 75% from July 1, 2024 to June 30, 2025; 80% from July 1, 2025 to June 30, 2026; 85% from July 1, 2026 to June 30, 2027; and 90% after June 30, 2027. It also removes some outdated language and the cap on the increase in the State's total cost for retired teachers' health insurance premiums for fiscal years ending after June 30, 2015.

**Committee Amendment "A" (H-701)**

This amendment, which is the majority report of the committee, requires the State to pay 55% of a retired teacher's share of the premium for group accident and sickness or health insurance after June 30, 2020.

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

**LD 246      An Act To Secure the Future of the Frances Perkins Homestead      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW D GIDEONS	OTP-AM ONTP	S-15

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

This bill provides one-time funds to the Frances Perkins Center to be applied toward the acquisition of the Frances Perkins homestead in Newcastle.

**Committee Amendment "A" (S-15)**

This amendment, which is the majority report, directs the Maine Historic Preservation Commission to transfer \$250,000 in state fiscal year 2019-20 to be used for the acquisition of the Frances Perkins Homestead in Newcastle if certain requirements are met.

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 359      An Act To Address Student Hunger with a "Breakfast after the Bell" Program      PUBLIC 556 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE M TUELL W	OTP-AM ONTP	S-373 BREEN C S-78

This bill was carried over on the Special Appropriations Table, from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires a school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year to operate an alternative breakfast delivery service that provides breakfast after the start of the school day for students at that public school. It also provides a process for a school administrative unit to opt out of the alternative breakfast delivery service. This bill requires the Department of Education to adopt rules to develop an application process and to adopt standards to address evaluation criteria based on need for funding assistance for alternative breakfast delivery services in school administrative units. It also requires the department to develop a means to track health and academic outcomes of students and schools that participate in alternative breakfast delivery services.

**Committee Amendment "A" (S-78)**

The bill requires a school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year to operate an alternative breakfast delivery service.

This amendment, which is the majority report, clarifies that the alternative breakfast delivery service provides breakfast after the start of the school day and before any lunch period in the school begins for students at that public

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school. The amendment also provides that a school administrative unit or a public school in which at least 70% of students who are eligible for free and reduced-price meals participate in the breakfast program is exempt from the requirement of providing an alternative breakfast delivery service. The amendment revises the process as proposed in the bill for a school administrative unit to opt out of the alternative breakfast delivery service. The amendment also provides for procedures to track health and academic outcomes of students.

**Senate Amendment "A" To Committee Amendment "A" (S-100)**

This amendment provides funding for the so-called "breakfast after the bell" program for fiscal years 2019-20 and 2020-21, and removes the indication of ongoing funding. This amendment also specifies that the funds provided do not lapse but are carried forward.

This amendment was not adopted.

**Senate Amendment "B" To Committee Amendment "A" (S-373)**

This amendment clarifies that a public school in which at least 70% of students who are eligible for free and reduced-price meals are participating in the breakfast program is not required to meet the annual 10 percentage point breakfast participation rate increase as long as that public school maintains a 70% or higher breakfast participation rate. The amendment also strikes the ongoing General Fund appropriations section and adds an emergency preamble and emergency clause.

**Enacted Law Summary**

Public Law 2019, chapter 556 requires a school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year to operate an alternative breakfast delivery service. The law clarifies that the alternative breakfast delivery service provides breakfast after the start of the school day and before any lunch period in the school begins for students at that public school. It also provides that a school administrative unit or a public school in which at least 70% of students who are eligible for free and reduced-price meals participate in the breakfast program is exempt from the requirement of providing an alternative breakfast delivery service. It clarifies that a public school in which at least 70% of students who are eligible for free and reduced-price meals are participating in the breakfast program is not required to meet the annual 10 percentage point breakfast participation rate increase as long as that public school maintains a 70% or higher breakfast participation rate. It also provides for procedures to track health and academic outcomes of students.

Public Law 2019, chapter 556 was enacted as an emergency measure effective February 14, 2020.

**LD 427      An Act To Require the State To Fund Teacher Retirement**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN M SANBORN L	OTP-AM ONTP	H-20

This bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order H.P. 1322.

This bill changes the method for funding teacher retirement costs. It repeals those provisions of law enacted pursuant to Public Law 2013, chapter 368 that require school administrative units and private schools to pay a portion of the costs for teacher retirement.

**Committee Amendment "A" (H-20)**

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This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

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 470      An Act To Provide Traffic Safety Education in Schools**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M CARSON B	OTP-AM ONTP	H-83

This bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

This bill provides students in Maine with traffic safety education from an early age with the goal of teaching students safe practices and respect for all users of the road in order to reduce the unacceptable number of pedestrian and bicyclist fatalities and make Maine's roadways safer and more enjoyable for all users.

This bill requires all school administrative units to provide at least one hour annually of age-appropriate traffic safety education to students in grades 2 to 12. The traffic safety education program must provide, at a minimum, instruction on the use of public and private ways by pedestrians, bicyclists and motor vehicle operators and on the laws and rules regarding that use. A school administrative unit may contract with a third party to provide the traffic safety education.

**Committee Amendment "A" (H-83)**

This amendment, which is the majority report of the committee, modifies the requirements in the bill for age-appropriate traffic safety education in school administrative units. The amendment provides that the traffic safety education must be provided annually to at least 4 different grade levels from kindergarten to grade 8 instead of annually in grades 2 to 12. The amendment also strikes the requirement that the education be at least one hour in length.

This amendment also provides funding for 90% of the cost to school administrative units to implement the traffic safety education curriculum. The amendment also specifies that outside funding may be accepted by the Department of Education and expended for the purpose of traffic safety education annually.

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 502      An Act To Establish the Summer Success Pilot Program Fund**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T BREEN C	OTP-AM ONTP	H-200

This bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P.1322.

This bill establishes the Summer Success Program Fund, a dedicated fund to be directed and administered by the



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Commissioner of Education and held by the Treasurer of State, to encourage the facilitation of high-quality summer success programs in school administrative units throughout the State. The bill accomplishes the following.

1. It provides that money paid into the fund may include General Fund appropriations, as well as grants, gifts and other money from any unit of federal, state or local government or from any person, firm, partnership or corporation for deposit to the fund, money received from a social impact bond and interest, dividends and other pecuniary gains. It requires that school administrative units ensure that grants provided from the fund for expanding access to summer success programs supplement and not supplant federal funding.
2. It requires the commissioner to administer the fund within the Department of Education and to establish standards and approval for the allocation and use of fund money for summer success programs offered at elementary and secondary schools in the State. It also allows the commissioner to include the following in the standards:
  - A. Guidelines similar to the federal 21st Century Community Learning Centers program to close the achievement gap between high-performing and low-performing students;
  - B. Effective models of summer success programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development; and
  - C. Implementation of the formative and summative assessment methods to measure student achievement in order to monitor the progress of students participating in summer success programs.
3. It provides that, beginning in fiscal year 2020-21, the department is required to provide grant funding, through a grant application process, to cover 90% of the costs of summer success programs in school administrative units with greater than 50% student participation in the federal free and reduced-price lunch program.
4. It adds the fund to the enhancing student performance and opportunity provisions of the Essential Programs and Services Funding Act.
5. It requires the commissioner to submit a report to the Joint Standing Committee on Education and Cultural Affairs by December 15, 2019, that outlines the proposed rules to implement the fund by the 2020-2021 school year.

### **Committee Amendment "A" (H-200)**

This amendment, which is the majority report of the committee, strikes and replaces the title and the bill. The amendment establishes the Summer Success Pilot Program and corresponding fund to encourage the facilitation of high-quality summer success pilot programs in school administrative units throughout the State and does the following:

1. It provides that the fund is established as a General Fund carrying account within the Department of Education to be directed and administered by the Commissioner of Education and held by the Treasurer of State and that only General Fund appropriations may be paid into the fund;
2. It requires the Commissioner of Education to establish standards and approval for the allocation and use of fund money for summer success pilot programs offered at elementary and secondary schools in the State. It also allows the commissioner to include the following in the standards:
  - A. Guidelines similar to those of the federal 21st Century Community Learning Centers program to close the achievement gap between high-performing and low-performing students;
  - B. Effective models of summer success programs that involve networking and partnerships with

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community-based organizations that provide a range of high-quality services to support student learning and development; and

C. Implementation of the formative and summative assessment methods to measure student achievement in order to monitor the progress of students participating in summer success pilot programs;

3. It provides that, beginning in fiscal year 2020-21, the department is required to provide grant funding from the fund, through a grant application process, to cover 90% of the costs of summer success pilot programs and that the department must prioritize distribution of funding to school administrative units with greater than 50% student participation in the federal free and reduced-price lunch program;

4. It adds the fund to the enhancing student performance and opportunity provisions of the Essential Programs and Services Funding Act; and

5. It requires the Commissioner of Education to annually report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on the number of school administrative units administering summer success pilot programs, the nature of the summer success pilot programs receiving money from the fund, the amount of money distributed and the number of children participating in a summer success pilot program. The report must also include a recommendation on whether the pilot program should continue as a pilot program, be modified or become a permanent program.

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 512      Resolve, To Authorize the Legislature To Contract for an Independent Review To Evaluate and Plan for the Implementation of Maine's Early Childhood Special Education Services      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH D MOORE M	OTP-AM	H-561

This resolve was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P.1322.

This resolve establishes the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services to examine the national trends and relevant models of governing and delivering early childhood special education systems and the short-term and long-term costs and benefits to the Department of Education's proposed plan to restructure the Child Development Services System and to make recommendations for an early childhood special education services program plan.

**Committee Amendment "A" (H-561)**

This amendment authorizes the Legislature, through the Joint Standing Committee on Education and Cultural Affairs, to contract with a qualified research and technical assistance entity to conduct an independent review of Maine's early childhood special education services. This amendment authorizes the Office of the Executive Director of the Legislative Council, at the direction of the Joint Standing Committee on Education and Cultural Affairs, to develop and administer a request for proposals process to award a contract for the independent review. The amendment also adds an appropriations and allocations section.

The substance of this amendment was incorporated into LD 1001, which was enacted as Public Law 2019, chapter

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423.

This resolve 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 610      An Act To Provide Funding for Maine Public      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSENE SANBORN L	OTP-AM ONTP	H-401

This bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order, H.P.1322.

This bill provides ongoing funds to Maine Public and increases the State's contribution to funding the cost of the emergency alert system.

**Committee Amendment "A" (H-401)**

This amendment, which is the majority report, decreases the ongoing appropriation to Maine Public because additional funding is included in the Governor's biennial budget.

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 626      An Act To Provide Funding for the Naval Museum and Gardens in Brunswick      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TEPLER D CARSON B	OTP-AM ONTP	H-64

This bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table, by joint order, H.P. 1322.

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to provide funding for the Brunswick Naval Museum and Memorial Gardens in Brunswick.

**Committee Amendment "A" (H-64)**

This amendment which, is the majority report of the committee, replaces the bill, which is a concept draft. The amendment provides one-time funds to the Brunswick Naval Museum and Memorial Gardens to support and preserve Maine's maritime patrol aviation heritage.

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.

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**LD 662 An Act To Count Study Abroad toward Secondary School Credit**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU J POULIOTM	OTP-AM	H-54

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill requires school administrative units to award course credit to students who have studied abroad by awarding the student elective credit based on hours of instruction received abroad or by awarding credit hours in the relevant content area if the student receives third-party certification or if the student passes a summative assessment.

**Committee Amendment "A" (H-54)**

This amendment amends the bill by requiring school boards to adopt a policy on awarding credit to students who have studied abroad. The school board may include in the policy that the school administrative unit award credit as elective credit, through third-party certification or based on a summative assessment.

This amendment also requires the Department of Education to issue an administrative letter to school boards and superintendents addressing the benefits of proactive communication between the school administrative unit and parents of a student and the student regarding the credit options available to the student prior to the student's participation in the study abroad program.

This amendment also incorporates a fiscal note. The fiscal note identifies the requirement that local school boards adopt a policy on awarding credit to students who have studied abroad as a potential unfunded state mandate. The committee reviewed the fiscal note and determined that requiring a school board to adopt a policy on awarding credit to students who have studied abroad is not an unfunded mandate. Because school boards have a duty to adopt policies that govern school administrative units pursuant to the Maine Revised Statutes, Title 20-A, section 1001, subsection 1-A, and because Title 20-A requires school administrative units to provide students with opportunities for learning in multiple pathways, the requirement that local school boards adopt a policy on awarding credit to students who have studied abroad does not require an expansion or modification of activities so as to necessitate additional expenditures.

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

**LD 665 Resolve, Directing the Office of the Attorney General To Review Free Speech on Public College and University Campuses**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS J FARRIN B	OTP-AM OTP-AM	H-395

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill authorizes a person who wishes to engage in an expressive activity, as defined in the bill, in an outdoor area of campus of a public institution of higher education to do so freely as long as the person's conduct is lawful

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and does not materially and substantially disrupt the functioning of the public institution of higher education. It prohibits a public institution of higher education from designating an area of campus as a free speech zone or otherwise creating policies restricting expressive activities to a particular outdoor area of campus, except that it allows public institutions of higher education to create and enforce restrictions on time, place and manner of expression that are reasonable and content-neutral. The Attorney General has the authority to enforce compliance, and a person whose rights are violated may bring an action to enjoin violations and to recover compensatory damages, reasonable court costs and attorney's fees.

**Committee Amendment "A" (H-395)**

This amendment, which is the majority report of the committee, directs the Office of the Attorney General to review whether there have been any instances in the State in which the University of Maine System, Maine Community College System or Maine Maritime Academy has violated or otherwise restricted a student's free speech rights protected under the United States Constitution, Amendment I and the Constitution of Maine, Article I, review whether additional protections are necessary under state law and report to the Joint Standing Committee on Judiciary no later than January 1, 2020. The Joint Standing Committee on Judiciary may report out a bill to the Second Regular Session of the 129th Legislature. The amendment also adds an appropriations and allocations section.

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 703      An Act To Help Maine Students Succeed**

**CARRIED OVER**

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

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. This bill proposes to help Maine students succeed.

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

**LD 712      An Act To Increase the School Construction Debt Service Limit**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN M CHIPMAN B	OTP-AM ONTP	H-290

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill amends the school funding formula to fund after-school programs based on the state share percentage and to fund public preschool programs at 50% of the cost of the programs, or if a school administrative unit's state share percentage is greater than 50%, to fund the unit's public preschool program at the state share percentage. The bill also increases the additional weight for economically disadvantaged students from 0.15 to 1.5. The bill also raises

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the maximum debt service limit for school construction projects from \$126,000,000 to \$150,000,000 beginning in 2020.

**Committee Amendment "A" (H-290)**

This amendment, which is the majority report of the committee, changes the title and strikes all sections of the bill except the provision that raises the maximum debt service limit for school construction projects from \$126,000,000 to \$150,000,000 beginning in 2020.

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 791      An Act To Provide School Districts with Full State Funding for Students      ONTP**  
**with High-cost Special Education Needs**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D EVANGELOS J	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 requires the State, beginning July 1, 2020, to provide a school administrative unit 100% of the funding needed for high-cost special education students.

**LD 860      An Act To Establish the Maine Community College System Pell Grant      CARRIED OVER**  
**Match Program**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN M LIBBY N	OTP-AM ONTP	H-692

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

This bill establishes the Maine Community College System No-cost Tuition Program. Under the program, Maine residents who are determined to be eligible students and who are enrolled in an eligible course of study at a college within the Maine Community College System are eligible for a grant to cover the cost of tuition and mandatory fees, less any federal financial aid or other financial assistance that the student receives that is not required to be repaid. The Maine Community College System must include in its biennial budget for presentation to the Governor and the Legislature the estimated full funding for the Maine Community College System No-cost Tuition Program.

**Committee Amendment "A" (H-692)**

This amendment, which is the majority report of the committee, changes the title and renames the program the Maine Community College System Pell Grant Match Program. The amendment establishes the program and provides that a student is eligible for the program if the student is a resident of the State, is eligible for a Federal Pell Grant and maintains a minimum grade point average. The grant award may not exceed 100% of the amount of funds provided by the Federal Pell Grant that the student receives for the academic year in which the student applies. The availability of the grant and the amount of the grant are subject to the amount available in the established fund, and the Maine Community College System may adopt rules to implement and administer the

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program and fund. The amendment also adds an appropriations and allocations section with an appropriation of \$3,600,000.

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

**LD 866 An Act To Support College Completion by Homeless Youth in Maine**

**PUBLIC 538**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN M CARSON B	OTP-AM	H-321

This bill was passed to be enacted by the Legislature and then held by the Governor at the end of the First Regular Session of the 129th legislature. It became law without signature at the beginning of the Second Regular Session.

This bill requires institutions of higher education in the State to designate an existing staff member to serve as a liaison for homeless youth who are enrolled in that institution of higher education. The bill also requires institutions of higher education to give homeless youth priority for on-campus housing, develop a plan to provide homeless youth housing during school breaks and allow homeless youth who are enrolled part-time to access on-campus housing during the homeless youth's first year of school. The bill also expands the tuition waiver for state postsecondary educational institutions to include tuition waivers for homeless youth.

**Committee Amendment "A" (H-321)**

This amendment, which strikes and replaces the bill, does the following.

1. It defines a homeless student as a student under 25 years of age who has been verified, at any time during the 24 months immediately preceding the student's admission to or while enrolled in a state postsecondary educational institution, as a homeless child or youth as defined in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001.
2. It requires each state postsecondary educational institution to designate a staff member as the homeless student liaison.
3. It authorizes each state postsecondary educational institution to award a homeless student a financial assistance grant, which is limited to the amount of the cost of tuition less all other financial aid received that a student is not required to repay. The availability of the grant and the amount of the grant is also subject to the amounts appropriated by the Legislature.

**Enacted Law Summary**

Public Law 2019, chapter 538 does the following:

1. It defines as a homeless student a student under 25 years of age who has been verified, at any time during the 24 months immediately preceding the student's admission to or while enrolled in a state postsecondary educational institution, as a homeless child or youth as defined in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001.
2. It requires each state postsecondary educational institution to designate a staff member as the homeless student liaison.

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3. It authorizes each state postsecondary educational institution to award a homeless student a financial assistance grant, which is limited to the amount of the cost of tuition less all other financial aid received that a student is not required to repay. The availability of the grant and the amount of the grant is also subject to the amounts appropriated by the Legislature.

**LD 882      Resolve, To Require the Examination of the System of Learning Results      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMPSON H LIBBY N	ONTP	

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 Department of Education to convene a working group to study the system of learning results and to submit a report by December 4, 2019, to the Joint Standing Committee on Education and Cultural Affairs, which may submit legislation to the Second Regular Session of the 129th Legislature.

**LD 1036      Resolve, Establishing a Task Force To Study the Creation of a      RESOLVE 108  
Comprehensive Career and Technical Education System and Increased      EMERGENCY  
Crosswalks for Academic Credit between Secondary Schools and Career  
and Technical Education Programs**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N HERBIG E	OTP-AM	H-506 S-311 LIBBY N

This resolve was passed to be enacted by the Legislature and then held by the Governor at the end of the first Regular Session of the 129th Legislature. It became law without the Governor's signature at the beginning of the Second Regular Session.

This resolve establishes the Task Force To Study the Creation of a Comprehensive Career and Technical Education System to examine the feasibility of establishing a comprehensive 4-year high school career and technical education program to provide a technical high school setting for middle school students to attend at the completion of the 8th grade.

**Committee Amendment "A" (H-506)**

This amendment changes the title of this resolve and expands the membership of the task force to include a principal of a secondary school, a superintendent of a school administrative unit, an administrator at the University of Maine System and the Commissioner of Education or the commissioner's designee and requires that the member from a community college be an administrator.

This amendment also expands the duties of the task force to require that the task force examine the advantages and disadvantages of a comprehensive four-year career and technical education high school, obstacles to implementation and other models of comprehensive four-year career and technical education high schools around the State and on a national level. The task force is also required to examine increasing crosswalks and intersections between technical and occupational knowledge and curricula and academic standards in order to promote multiple pathways for awarding content area credit to students enrolled in career and technical education programs.



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This amendment also requires the task force to seek funding contributions to fully fund the costs of the task force. If sufficient funding is not received within 30 days after the effective date of the resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

**Senate Amendment "A" To Committee Amendment "A" (S-311)**

This amendment increases the membership of the task force from 14 to 16 members by adding one additional member of the House of Representatives and one additional member of the Senate and specifies that the House and Senate appointments must include a member from each of the two parties holding the largest number of seats in the Legislature, which conforms with Joint Rule 353.

**Enacted Law Summary**

Resolve 2019, chapter 108 establishes the Task Force To Study the Creation of a Comprehensive Career and Technical Education System, referred to as the task force. The task force is tasked with the following:

1. Examining the feasibility of establishing a comprehensive four-year high school career and technical education program to provide a technical high school setting for middle school students to attend at the completion of the eighth grade, including but not limited to examining the advantages and disadvantages of a comprehensive four-year career and technical education high school, obstacles to implementation and other models of comprehensive four-year career and technical education high schools around the State and on a national level; and
2. Examining how to increase crosswalks and intersections between technical and occupational knowledge and curricula and academic standards in order to promote multiple pathways for awarding content area credit to students enrolled in career and technical education programs.

Resolve 2019, chapter 108 requires the task force to seek funding contributions to fully fund the costs of the task force. If sufficient funding is not received within 30 days after the effective date of the resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

Resolve 2019, chapter 108 also requires the task force to submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 129th Legislature.

Resolve 2019, chapter 108 was enacted as an emergency measure effective January 12, 2020. However, because the date that the task force was required to report back to the Legislature had already passed, the task force was never appointed.

**LD 1043 An Act To Establish Universal Public Preschool Programs**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KORNFIELD V MILLET R	OTP-AM	H-256

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order H.P. 1322.

This bill specifies that it is the goal of the State to ensure that public preschool programs for children 4 years of age are offered by all school administrative units by the 2020-2021 school year. In order to achieve that goal, this bill requires the Department of Education to develop recommendations and report back to the Joint Standing Committee on Education and Cultural Affairs by January 1, 2020. Recommendations must include:

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1. Standards for public preschool programs;
2. A process for approval and certification of programs not operated by a school administrative unit, including, but not limited to, a Head Start program or other program affiliated with the school administrative unit; and
3. Funding for public preschool programs.

The Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 129th Legislature to implement the recommendations in the report.

**Committee Amendment "A" (H-256)**

This amendment provides that it is the goal of the State to provide adequate start-up funding to ensure that public preschool programs for children 4 years of age are offered by all school administrative units by the 2023-2024 school year and requires the Department of Education to include in its funding recommendations funding options to encourage more public preschool programs.

The substance of this amendment was included in LD 1001, which was enacted as Public Law 2019, chapter 343.

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.

<b>LD 1050</b>	<b>An Act To Require Education about African-American History and the History of Genocide</b>	<b>CARRIED OVER</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L GROHOSKIN	OTP-AM OTP-AM	H-520 TALBOT ROSS R S-147

This bill was carried over from the First Regular Session of the 129th Legislature on the Special Appropriations Table by joint order H.P. 1322.

This bill requires instruction in the Holocaust developed by the Commissioner of Education to be provided in and required for graduation from all elementary and secondary schools, both public and private.

**Committee Amendment "A" (S-147)**

This amendment replaces the bill. It requires that the history of genocide, including the Holocaust, to be taught in schools, aligned with the parameters for essential instruction and graduation requirements and included in the review of content standards and performance indicators of the system of learning results. It adds an appropriations and allocations section.

The fiscal note on this amendment identifies certain requirements in the amendment as a potential state mandate. In order to be a mandate pursuant to the Constitution of Maine, a provision must require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The committee finds that the provision in the bill requiring the history of genocide to be taught in schools, the provision the fiscal note identifies as potentially a mandate, does not create a mandate since the history of genocide relates to topics already required to be taught in schools and so should not cause any school to expand or modify its activities so as to necessitate additional expenditures from local revenue.

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**Committee Amendment "B" (S-148)**

This amendment replaces the bill with a resolve that directs the Commissioner of Education to expedite the consideration of the instruction in the history of genocide, including the Holocaust, in the next review of the content standards and performance indicators for the content area of social studies under the Maine Revised Statutes, Title 20-A, section 6209, subsection 4. The commissioner also shall develop resources relating to instruction in the history of genocide, including the Holocaust, and make them readily available on the Department of Education's publicly accessible website.

This amendment was not adopted.

**House Amendment "A" To Committee Amendment "A" (H-485)**

This amendment requires that African-American history and culture be taught in schools, aligned with the parameters for essential instruction and graduation requirements and included in the review of content standards and performance indicators of the system of learning results.

This amendment directs the Department of Education to convene two volunteer advisory groups to collect information and prepare and make available materials for teaching African-American history and culture and the history of genocide in accordance with this legislation.

This amendment also provides that the addition of African-American history and the history of genocide to the school curriculum takes effect July 1, 2020 so as to be in effect for the 2020-2021 school year.

This amendment was not adopted.

**House Amendment "B" To Committee Amendment "A" (H-520)**

This amendment requires that African-American history and culture be taught in schools, aligned with the parameters for essential instruction and graduation requirements and included in the review of content standards and performance indicators of the system of learning results. This amendment directs the Department of Education to convene 2 volunteer advisory groups to collect information and prepare and make available materials for teaching African-American history and culture and the history of genocide in accordance with this legislation.

This amendment also provides that the addition of African-American history and the history of genocide to the school curriculum takes effect July 1, 2020 so as to be in effect for the 2020-2021 school year.

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 1376 An Act To Direct the Department of Education To Amend Its Rules To Ensure That Physical Restraint and Seclusion Policies Are Followed and Make Biennial Reports on the Use of Physical Restraint and Seclusion** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH D	OTP-AM ONTP	H-617

This bill was carried over on the Special Appropriations Table from the First Regular Session of the 129th Legislature by joint order H.P. 1322.

This bill directs the Department of Education to amend its rule Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty to include concepts from and references to the department's rule Chapter 33: Rule Governing Physical Restraint and Seclusion.

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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

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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.

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**LD 1700      Resolve, Regarding African-American Student Data Analyses**

**RESOLVE 109**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R	OTP-AM	H-563

This resolve was passed to be enacted by the Legislature and then held by the Governor at the end of the First Regular Session of the 129th Legislature. It became law without signature at the beginning of the Second Regular Session.

This resolve directs the Department of Education, with assistance from the Maine Education Policy Research Institute, the Maine Human Rights Commission and the Department of the Attorney General, Civil Rights Team Project, as well as a volunteer advisory group that includes representatives from African-American civil rights organizations in the State, African-American history and cultural organizations and the African American Collection at the University of Southern Maine, to collect information and prepare and make available materials that promote the rationale for adding African-American history and culture, including Maine African-American history and culture, to the curricular offerings of school administrative units.

**Committee Amendment "A" (H-563)**

This amendment removes the requirement that the Department of Education collect information and prepare and make available materials that promote the rationale for adding African-American history and culture to the curricular offerings of school administrative units. The amendment also removes the requirement that the department identify educators in the State who are implementing model approaches to teaching African-American history and culture.

**Enacted Law Summary**

Resolve 2019, chapter 109 directs the Maine Education Policy Research Institute to provide to the Department of Education analyses of school achievement, disciplinary actions and special education identification and placement of African-American students. The law also provides that the Department of Education may request data on reported harassment and hate crimes based on race occurring in public schools from the Maine Human Rights Commission and the Department of the Attorney General, Civil Rights Team Project.

**LD 1715      An Act To Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years of Age**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT J CARSON B	ONTP	

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

Beginning in fiscal year 2019-20 for early adopters and over a five-year implementation phase-in beginning in fiscal year 2020-21 for other school administrative units, this bill moves responsibility for providing special education and related services for children who are at least three years of age and under six years of age from the Department of Education, Child Development Services System, the state intermediate educational unit, to the school administrative units of residence of the children.

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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.

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**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



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preceding the adoption of the rules and that a teacher may renew the teacher's professional teacher certificate with the same grades and subject areas endorsements as were originally issued to that teacher.

### **Committee Amendment "A" (H-676)**

This amendment provides that an amendment to the teacher certification rules that revises the qualifications for a credential or the grades or subject area endorsements for a professional teacher certificate does not apply to:

1. A person who held an active credential or endorsement during the school year preceding the adoption of revisions to the rules;
2. A person who held an active conditional certificate during the school year preceding the adoption of revisions to the rules;
3. A person who has completed an educator preparation program and who has qualified for a recommendation for certification as a teacher during the school year preceding the adoption of revisions to the rules;
4. A person enrolled in an educator preparation program during the school year preceding the adoption of revisions to the rules; or
5. A person who began the application process for professional teacher certification with the Department of Education during the school year preceding the adoption of revisions to the rules.

The amendment also clarifies that if a rule amends the endorsement specifications for grades or subject areas for a teacher's professional teacher certificate, the teacher may renew the teacher's professional teacher certificate with the same grades and subject areas endorsements as were issued with the active professional teacher certificate that is held by the teacher at the time of the amendment.

### **Enacted Law Summary**

Public Law 2019, chapter 584 provides that an amendment to the teacher certification rules that revises the qualifications for a credential or the grades or subject area endorsements for a professional teacher certificate does not apply to:

1. A person who held an active credential or endorsement during the school year preceding the adoption of revisions to the rules;
2. A person who held an active conditional certificate during the school year preceding the adoption of revisions to the rules;
3. A person who has completed an educator preparation program and who has qualified for a recommendation for certification as a teacher during the school year preceding the adoption of revisions to the rules;
4. A person enrolled in an educator preparation program during the school year preceding the adoption of revisions to the rules; or
5. A person who began the application process for professional teacher certification with the Department of Education during the school year preceding the adoption of revisions to the rules.

Public Law 2019, chapter 584 also provides that if an amendment to the teacher certification rules amends the endorsement specifications for grades or subject areas for a teacher's professional teacher certificate, the teacher may renew the teacher's professional teacher certificate with the same grades and subject areas endorsements as were issued with the active professional teacher certificate that is held by the teacher at the time of the amendment.

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**LD 1860    An Act To Establish a Process for the Consideration and Implementation of Changes to Mandated Instruction or Training for Students**

**HELD BY  
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KORNFIELD V MILLETT R	OTP-AM	H-740

This bill requires that, upon referral of proposed legislation to establish or substantially expand mandated instruction or training in public schools, the joint standing committee of the Legislature considering the proposal must request that the Commissioner of Education convene a review committee to review whether the subject of the proposal is already addressed within existing courses of study aligned with the system of learning results and, if it is not, analyze the impact of establishing or substantially expanding the mandated instruction or training, including the availability of resources, staff expertise, the number of required courses of study that already exist and the available hours of instruction. The commissioner is directed to submit a final report to the joint standing committee that includes any legislation required to implement the commissioner's recommendations.

**Committee Amendment "A" (H-740)**

This amendment does the following:

1. It establishes the Review Committee on Proposed Legislation as a board with minimal authority and provides that members are not entitled to compensation.
2. It requires the joint standing committee of the Legislature that considers proposed legislation that would establish or substantially expand mandated instruction or training for students in elementary or secondary school to hold a public hearing on the proposal and then either vote to request that the Commissioner of Education convene the Review Committee on Proposed Legislation to review the proposal and report to the joint standing committee by a specific date chosen in consultation with the Department of Education or hold a work session to work and vote on the proposed legislation.
3. It requires the Commissioner of Education to appoint the Review Committee on Proposed Legislation's members, including teachers, administrators and content specialists within the Department of Education and a representative of an association of statewide curriculum leaders, and requires the review committee to invite the sponsor of the proposed legislation to participate in its evaluation.
4. It adds that, as part of the evaluation, the Review Committee on Proposed Legislation must analyze the positive and negative effects of the proposed legislation and the costs to implement the proposal.
5. It requires the Commissioner of Education or the commissioner's designee to present the final report of the Review Committee on Proposed Legislation to the joint standing committee.

**LD 1878    Resolve, To Establish the Commission To Study the Use of Adjunct Professors in Maine Community College System**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DODGE J	OTP-AM	H-679

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This resolve establishes the Commission To Study the Use of Adjunct Professors in Maine's Public University and College System. The commission is directed to examine and make recommendations on the use of adjunct professors in the University of Maine System and the Maine Community College System, including, but not limited to, an examination of recruitment and retention issues, creation of a career path for adjunct professors, expansion of the role of adjunct professors in student retention and success, expansion of access to health care for adjunct professors and identification of funding needs for the recommendations of the commission. The commission must report its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Labor and Housing.

**Committee Amendment "A" (H-679)**

This amendment narrows the focus of the commission established in the resolve to the Maine Community College System, provides that the member representing the Maine Community College System is appointed by the President of the Maine Community College System and adds an effective date of August 31, 2020.

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

**LD 1879      An Act Regarding the Adoption of Education Policies by School Boards      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN M	OTP-AM ONTP	

This bill provides that in order to be considered an education policy that may not be negotiated during collective bargaining, the policy must be adopted by the school board pursuant to the procedure established in the bill. The bill prohibits the school board from delegating the authority to develop such a policy.

**Committee Amendment "A" (H-760)**

Current law provides that public employers of teachers must meet and consult but not negotiate with respect to educational policies. This amendment, which is the majority report of the committee, provides that educational policies related to preparation and planning time and transfer of teachers are permissive subjects of negotiation if both parties agree.

This amendment also specifies the obligation of public employers of teachers regarding the meet and consult process. It is the intent of the amendment to put in statute the meet and consult process as outlined in *Southern Aroostook Teachers Association v. Southern Aroostook Community School Committee*, MLRB No. 80-35, 80-40 (April 14, 1982). In addition, the amendment provides that the bargaining agent may initiate the meet and consult process by notifying the public employer of teachers when an existing educational policy of the public employer of teachers is changed by practice or if the written notice required from the public employer of teachers is inadvertently omitted.

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

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**LD 1894 An Act To Incentivize the Purchase of Electric Public School Buses**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VITELLI E BRENNAN M	OTP-AM OTP-AM ONTP	

This bill directs the Department of Education to endeavor to meet a goal of transitioning the public school bus fleet to 100% all-electric school buses by 2040 and directs the department to adopt rules relating to bid requirements, electric charging stations and uniform school bus specifications.

It requires the department to set aside a percentage of available resources for the purchase of electric small school buses, as replacements in or additions to the school bus fleet, in the 2020 request for proposals. It requires the department to develop an electric school bus training program to train school bus mechanics, school bus drivers and school transportation directors and it requires annual training by school bus mechanics, school bus drivers and school transportation directors. It requires the department to assess the need to expand transportation administration staff to manage the transition of the fleet of public school buses in the State to electric school buses.

**Committee Amendment "A" (S-421)**

This amendment, which is the majority report, strikes and replaces the bill, removes the emergency preamble and emergency clause and changes the title. The amendment directs the Commissioner of Education, in approving school bus purchases, contracts and leases, to the extent practicable to grant such approvals in a manner to meet the goals of reducing greenhouse gas emissions of the public school bus fleet by 75% by 2035 and transitioning the public school transportation fleet to 100% zero-emissions school buses by 2045.

The amendment directs the Governor's Energy Office to convene an interagency working group to develop a plan to transition Maine's public school bus fleet to achieve these goals. The working group must, at a minimum, consist of representatives from the Department of Education, the Department of Transportation, the Public Utilities Commission, the Efficiency Maine Trust and the Maine Climate Council's transportation working group. The interagency working group is directed to submit findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over education matters no later than January 5, 2022.

**Committee Amendment "B" (S-422)**

This amendment, which is the minority report, strikes and replaces the bill, removes the emergency preamble and emergency clause and changes the title. The amendment directs the Commissioner of Education, in approving school bus purchases, contracts and leases, to the extent practicable to grant such approvals in a manner designed to meet a goal of reducing greenhouse gas emissions of the public school bus fleet by 75% by 2040.

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

**LD 1916 An Act To Increase High School Graduation Rates for Students Experiencing Homelessness or in Foster Care**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N CRAVEN M		

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This bill does the following.

1. It amends the process for applying for a Department of Education diploma by requiring that the responsible school apply on behalf of a student who has experienced one or more education disruptions on request. The student's parent or guardian or a student who is over 18 years of age may still apply directly to the Department of Education, and the school must assist the student in the application process.
2. It provides that the Commissioner of Education must award a Department of Education diploma to a student who has experienced homelessness or has been in foster care who meets certain criteria and may not require that student to provide additional information or be interviewed.
3. It provides that a secondary school must award a diploma to a student who has experienced homelessness or foster care placement if the student meets specified criteria.
4. It provides that the responsible school for a student whose education disruption is due to multiple transfers or homelessness or foster care placement must compile for the student partial and full credits received by the student to date, provide priority enrollment in classes in which the student has received partial credit and immediately enroll the student in classes or programs to close gaps between the compilation of credits by the student and the credits typically earned by the student's peers.
5. It requires the responsible school to provide an adult mentor to students who experience education disruption due to homelessness or foster care placement to facilitate transition into the school.
6. It requires that if the responsible school determines that a student who experiences education disruption will not be able to graduate by the end of the student's fourth year of secondary school, the responsible school must provide the student information regarding a Department of Education diploma and apply on behalf of the student or assist the student in making the application.

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

**LD 1918     An Act To Amend the Laws Regarding the Reserve Funds of Certain School Organizational Structures**

**PUBLIC 588**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUTIER K LIBBY N	OTP-AM	H-681

This bill allows boards of school administrative districts, regional school units, community school districts and career and technical education regions to expend reserve funds by a vote of the board for emergencies necessitating immediate expenditures when obtaining voter permission would be cost-prohibitive or when the expenditures are required by law.

It also changes what a reserve fund may be established for, from funding school construction projects, financing the acquisition or reconstruction of a specific type of capital improvement or financing the acquisition of a specific item or type of capital equipment, to providing funds for any direct instruction or instructional support purpose.

**Committee Amendment "A" (H-681)**

This amendment adds to what a reserve fund may be established for to include providing funds for expenditures such as regular instruction, special education, career and technical education, other instruction including summer

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school and extracurricular instruction, student and staff support, system administration, school administration, transportation and buses, facilities maintenance, debt service and other commitments and other expenditures, including school lunch.

The amendment also adds that, in order to expend funds by a vote of the boards or committees of school administrative districts, regional school units, community school districts and career and technical education regions, the respective boards and committees must provide public notice of the meeting at which the vote to expend funds from the reserve fund will be taken and hold a public hearing prior to the vote to expend funds from the reserve fund.

**Enacted Law Summary**

Public Law 2019, chapter 588 allows boards of school administrative districts, regional school units, community school districts and career and technical education regions to expend reserve funds by a vote of the board for emergencies necessitating immediate expenditures when obtaining voter permission would be cost-prohibitive or when the expenditures are required by law.

It also provides that a reserve fund may be established for the following:

1. Funding school construction projects, financing the acquisition or reconstruction of a specific type of capital improvement or financing the acquisition of a specific item or type of capital equipment; and
2. Funding for expenditures such as regular instruction, special education, career and technical education, other instruction including summer school and extracurricular instruction, student and staff support, system administration, school administration, transportation and buses, facilities maintenance, debt service and other commitments and other expenditures, including school lunch.

The amendment also adds that, in order to expend funds by a vote of the boards or committees of school administrative districts, regional school units, community school districts and career and technical education regions, the respective boards and committees must provide public notice of the meeting at which the vote to expend funds from the reserve fund will be taken and hold a public hearing prior to the vote to expend funds from the reserve fund.

**LD 1947    An Act To Fund Capital Improvements to Career and Technical Education Centers**

**CARRIED OVER**

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

This bill authorizes the issuance and use of up to \$20,000,000 in Maine Governmental Facilities Authority securities for capital improvements to career and technical education centers and regions.

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

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**LD 1999 An Act To Amend the Maine Education Savings Program**

**CARRIED OVER**

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

This bill amends the Maine Education Savings Program by making permissive rather than mandatory the investment of fund dollars by the Finance Authority of Maine in state-based financial institutions.

**Committee Amendment "A" (S-430)**

This amendment, which is the majority report of the committee, retains the change from mandatory to permissive the investment of fund dollars by the Finance Authority of Maine in state-based financial institutions.

This amendment also amends certain provisions of the law in order to conform elements of the Maine Education Savings Program to recent changes to federal law affecting so-called Section 529 programs. This amendment also adds an emergency preamble and emergency clause to the bill.

**Committee Amendment "B" (S-431)**

This amendment, which is the minority report of the committee, removes the change from mandatory to permissive the investment of fund dollars by the Finance Authority of Maine in state-based financial institutions.

This amendment only amends certain provisions of the law in order to conform elements of the Maine Education Savings Program to recent changes to federal law affecting so-called Section 529 programs. This amendment also adds an emergency preamble and emergency clause to the bill.

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

**LD 2014 An Act To Amend the Laws Governing the Maine State Grant Program**

**PUBLIC 654  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-737

This bill allows an adult learner benefiting from a grant under the Maine State Grant Program to receive up to 12 semesters' worth of grant funding.

**Committee Amendment "A" (H-737)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2019, chapter 654 provides that an adult learner benefiting from a grant under the Maine State Grant Program may receive up to 12 semesters' worth of grant funding.

Public Law 2019, chapter 654 was enacted as an emergency measure effective March 18, 2020.

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**LD 2016 An Act Regarding School Discipline for Maine's Youngest Students**

**ONTP**

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

This bill provides that a student code of conduct may not prescribe suspension, expulsion or the withholding of recess as a consequence of a violation of the student code of conduct by any student enrolled in grade 5 or below except as provided under the federal Gun-Free Schools Act. The bill also provides that any student enrolled in grade 6 or above who is eligible for free or reduced-price school meals is entitled to representation at state expense during an expulsion proceeding.

**LD 2020 An Act To Strengthen Maritime Education by Amending the Laws Governing the Maine School for Marine Science, Technology, Transportation and Engineering**

**PUBLIC 655**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E CUDDY S	OTP-AM	S-439

This bill amends the provision of law terminating the Maine School for Marine Science, Technology, Transportation and Engineering 90 days after adjournment of the Second Regular Session of the 129th Legislature to provide that the school is terminated 90 days after adjournment of the Second Regular Session of the 131st Legislature. It also removes references to residential students and amends reporting requirements for the school by incorporating reporting requirements similar to those of charter schools.

**Committee Amendment "A" (S-439)**

This amendment changes the date the Maine School for Marine Science, Technology, Transportation and Engineering is terminated from 90 days after adjournment of the Second Regular Session of the 131st Legislature as proposed in the bill to 90 days after adjournment of the Second Regular Session of the 130th Legislature.

The amendment also requires the board of trustees of the school to include in the board's annual report for the 2019-2020 academic year a plan for the school's future based on the board's exploration of practicable organizational structures for the school.

**Enacted Law Summary**

Public Law 2019, chapter 655 amends the provision of law terminating the Maine School for Marine Science, Technology, Transportation and Engineering 90 days after adjournment of the Second Regular Session of the 129th Legislature to provide that the school is terminated 90 days after adjournment of the Second Regular Session of the 130th Legislature.

The law removes references to residential students and amends reporting requirements for the school by incorporating reporting requirements similar to those of charter schools.

The law also requires the board of trustees of the school to include in the board's annual report for the 2019-2020 academic year a plan for the school's future based on the board's exploration of practicable organizational structures for the school.



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**LD 2022 An Act To Provide Funding for Equipment Upgrades for Career and Technical Education Centers and Regions To Meet National Industry Standards**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E FECTEAUR	OTP-AM	S-396

This bill authorizes the Commissioner of Education to expend and disburse funds to career and technical education centers and career and technical education regions to make capital improvements and to purchase equipment that has a useful life of at least 5 years and provides a one-time General Fund appropriation of \$4,000,000 in fiscal year 2020-21 for that purpose.

**Committee Amendment "A" (S-396)**

This amendment strikes and replaces the bill. It provides one-time funds of \$4,000,000 to career and technical education centers and regions to upgrade equipment to meet national industry standards, which the Commissioner of Education may expend or disburse pursuant to the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 6.

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

**LD 2024 An Act To Remove from the Calculation of the Cost of Education the Maine Public Employees Retirement System Teacher Plan Unfunded Actuarial Liability**

**CARRIED OVER**

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

Current law provides a method of calculating the state share percentage of the total cost of funding public education from kindergarten to grade 12 that includes the unfunded actuarial liability of the Maine Public Employees Retirement System as it applies to teachers. This bill repeals that provision of law.

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

**LD 2035 An Act To Modify Teacher Certification Expiration Dates for Teachers Who Use Family Medical Leave**

**PUBLIC 610**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU J MILLETTR	OTP-AM	H-703

This bill provides that, upon the request of a school administrative unit, the Commissioner of Education must grant an extension on a teacher's conditional, provisional 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

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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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**Committee Amendment "A" (H-774)**

This amendment changes the title to reflect that Chapter 115 is a major substantive rule of the State Board of Education, not the Department of Education, and provides that final adoption of Chapter 115: Part II Requirements for Specific Certificates and Endorsements, a provisionally adopted major substantive rule of the State Board of Education, is authorized.

**Enacted Law Summary**

Resolve 2019, chapter 134 provides that final adoption of Chapter 115: Part II Requirements for Specific Certificates and Endorsements, a major substantive rule of the State Board of Education, is authorized.

Resolve 2019, chapter 134 was enacted as an emergency measure effective March 11, 2020.

**LD 2076      Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education      CARRIED OVER**

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

This resolve provides for legislative review of portions of Chapter 40: Rule for Medication Administration in Maine Schools, a major substantive rule of the Department of Education.

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

**LD 2077      Resolve, Regarding Legislative Review of Portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education      RESOLVE 135**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-739 S-448 MILLETT R

This resolve provides for legislative review of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-739)**

This amendment, which is the majority report of the committee, authorizes final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education, only if the rule is amended to reorder the effectiveness ratings for consistency.

**Senate Amendment "A" To Committee Amendment "A" (S-448)**

This amendment amends Committee Amendment "A" to strike the emergency preamble and emergency clause from the resolve.

**Enacted Law Summary**

Resolve 2019, chapter 135 provides that final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education, is authorized only if the rule is amended to reorder the effectiveness ratings for consistency.

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**LD 2113     An Act To Prevent Charter Schools from Using State Funds for  
Anti-Union Campaigns**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SYLVESTER M MILLETT R	REFERRED ONTP	

Under current law, public charter school employees are covered by the National Labor Relations Act, 29 United States Code, Chapter 7, Subchapter II. This bill prohibits a public charter school from using funds received from the State or Federal Government to engage in, or to retain legal counsel for the purpose of engaging in, activities that interfere with, restrain or coerce employees of the public charter school in their exercise of rights granted under the National Labor Relations Act, Section 7. Under Section 7, covered employees are given the right to self-organization; to form, join or assist labor organizations; to bargain collectively through representatives of their own choosing; and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection and also have the right to refrain from any of those activities except to the extent that such a right may be affected by an agreement requiring membership in a labor organization as a condition of employment.

The majority of the committee voted to re-refer the bill to the Joint Standing Committee on Labor and Housing.

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

**LD 2121     Resolve, To Establish the Task Force To Study the Coordination of  
Services and Expansion of Educational Programs for Young Adults with  
Disabilities**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEBWORTH S LUCHINI L		

This resolve establishes the Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Disabilities. The membership of the task force consists of Legislators who serve on the joint standing committees of the Legislature having jurisdiction over education and cultural affairs, health and human services matters and labor and housing matters, the Commissioner of Education, the Commissioner of Health and Human Services and the Commissioner of Labor, members of organizations or associations knowledgeable about services for young adults with disabilities after high school, a parent or guardian of a young adult with a disability and a young adult with a disability who is receiving services from the State. The Commissioner of Education convenes the task force, which must hold a minimum of 4 meetings and submit a report to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs, health and human services matters and labor and housing matters on recommendations and targeted reforms to improve the efficiency and effectiveness of services provided by different agencies and continuing educational opportunities for young adults with disabilities after high school.

The substance of this resolve duplicates LD 1852 from the First Regular Session of the 129th Legislature, which was removed from the Special Study Table and Special Appropriations Table at the end of the First Regular Session and inadvertently left off of the carry over joint order, H.P. 1322.

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

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**LD 2152      An Act To Permit Naloxone Possession and Administration in Public and Private Schools      CARRIED OVER**

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

This bill provides for the administration of naloxone hydrochloride in a noninjectable form to students, school staff and school visitors through collaborative practice agreements between physicians licensed in this State or school health advisors and public and private school nurses.

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

**LD 2156      Resolve, Requiring the Department of Education To Report on Issues Relating to Bullying in Schools      CARRIED OVER**

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

This resolve was reported by the committee pursuant to Resolve 2019, chapter 44. This resolve requires the Department of Education to report back to the joint standing committee of the Legislature having jurisdiction over education matters on issues relating to bullying in schools and the progress of any work groups or task forces that are currently studying this issue. The report must include any findings, recommendations and suggested legislation. The joint standing committee of the Legislature having jurisdiction over education matters may report out a bill on the subject matter of the report to the First Regular Session of the 130th Legislature.

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

**LD 2165      An Act To Provide Support to Students, Staff and Faculty at Postsecondary Educational Institutions for Temporary Closures Due to Infectious Diseases      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU J POULIOTM		

This bill requires a postsecondary educational institution in the State that temporarily suspends classes and requires students, staff and faculty to remain off campus due to an infectious disease, including COVID-19, to:

1. Reimburse students on a pro rata basis any unused fees previously paid to the institution by the student, and, if classes are not conducted remotely or through an alternate method as determined appropriate by the institution, tuition;
2. Develop a plan to allow certain students, based on a student's individual circumstances, to remain on campus and to provide housing and dining options to those students; and
3. Develop a plan, in consultation with the Department of Labor and the Department of Education, to compensate







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**SUBJECT INDEX**

**Adult Education**

**Not Enacted**

**LD 2121**      **Resolve, To Establish the Task force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Disabilities**      **CARRIED OVER**

**Attendance and School Days**

**Enacted**

**LD 1855**      **An Act To Include Student Absences for Mental Health or Behavioral Health Needs as Excusable Absences**      **PUBLIC 562**

**Career and Technical Education**

**Enacted**

**LD 1036**      **Resolve, Establishing a Task Force To Study the Creation of a Comprehensive Career and Technical Education System and Increased Crosswalks for Academic Credit between Secondary Schools and Career and Technical Education Programs**      **RESOLVE 108  
EMERGENCY**

**Not enacted**

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

**LD 1947**      **An Act to Fund Capital Improvements to Career and Technical Education Centers**      **CARRIED OVER**

**LD 2022**      **An Act To provide Funding for Equipment Upgrades for Career and Technical Education Centers and Regions to Meet National industry Standards**      **CARRIED OVER**

**Cultural Affairs**

**Enacted**

**LD 1700**      **Resolve, Regarding African-Americans Student Data Analyses**      **RESOLVE 109**

**Not Enacted**

LD 246	Am Act To Secure the Future of the Frances Perkins Homestead	CARRIED OVER
LD 610	An Act To Provide Funding for Maine Public	CARRIED OVER
LD 626	An Act To Provide Funding for the Naval Museum and Gardens in Brunswick	CARRIED OVER
LD 1050	An Act To Require Education about African-American History and the History of Genocide	CARRIED OVER

**Curriculum, Instruction, and Testing**

**Not Enacted**

LD 470	An Act To Provide Traffic Safety Education in Schools	CARRIED OVER
LD 662	An Act To Count Study Abroad toward Secondary School Credit	CARRIED OVER
LD 882	Resolve, To Require the Examination of the System of Learning Results	ONTP
LD 1860	An Act To Establish a Process for the Consideration and Implementation of Changes to Mandated Instruction or Training for Students	HELD BY GOVERNOR

**Department of Education, State Board of Education**

**Enacted**

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
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 EMERGENCY
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
LD 2077	Resolve, Regarding Legislative Review of Portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive rule of the Department of Education	RESOLVE 135

**Not Enacted**

LD 703      An Act To Help Maine Student Succeed      CARRIED OVER

**Early Childhood Special Education Programs**

**Not Enacted**

LD 512      Resolve, To Authorize the Legislature To Contract for an Independent Review To Evaluate and Plan for the Implementation of Maine's Early Childhood Special Education Services      CARRIED OVER

**Education - Other**

**Not Enacted**

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

LD 1916      An Act To Increase High School Graduation Rates for Students Experiencing Homelessness or in Foster Care      CARRIED OVER

**Extracurricular Programs and Activities**

**Not Enacted**

LD 502      An Act To Establish the Summer Success Pilot Program Fund      CARRIED OVER

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

**Health, Nutrition and Safety**

**Enacted**

LD 359      An Act To Address Student Hunger with a "Breakfast after the Bell" Program      PUBLIC 556  
EMERGENCY

**Not Enacted**

LD 1813      Resolve, To Ensure Safe and Inclusive Learning Environments      CARRIED OVER

LD 2046	Am Act Regarding Immunizations	CARRIED OVER
LD 2076	Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education	CARRIED OVER
LD 2152	An Act To Permit Naloxone Possession and Administration in Public and Private Schools	CARRIED OVER

### *Magnet Schools*

Enacted

LD 1849	An Act Regarding the Laws Governing the Maine School for Marine Science, Technology, Transportation and Engineering	PUBLIC 531 EMERGENCY
LD 2020	An Act To Strengthen Maritime Education by Amending the Laws Governing the Maine School for Marine Science, Technology, Transportation and Engineering	PUBLIC 655

### *Postsecondary Education Finance and Student Aid*

Enacted

LD 2014	An Act To Amend the Laws Governing the Maine State Grant Program	PUBLIC 654 EMERGENCY
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Not Enacted

LD 860	An Act To Establish the Maine Community College System Pell Grant Match Program	CARRIED OVER
LD 1999	An Act To Amend the Maine Education Savings Program	CARRIED OVER
LD 2165	An Act To Provide Support to Students, Staff and Faculty at Postsecondary Educational Institutions for Temporary Closures Due to Infectious Diseases	CARRIED OVER

### *Postsecondary Education Governance and Coordination*

Enacted

LD 866	An Act To Support College Completion by Homeless Youth in Maine	PUBLIC 538
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**Not Enacted**

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|---------|---|--------------|
| LD 665  | Resolve, Directing the Office of the Attorney General To Review Free Speech on Public College and University Campuses | CARRIED OVER |
| LD 1878 | Resolve, To Establish the Commission To Study the Use of Adjunct Professors in Maine Community College System         | CARRIED OVER |

**Public Charter Schools and School Choice**

**Not Enacted**

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|---------|---|--------------|
| LD 2113 | An Act To Prevent Charter Schools from Using State Funds for Anti-Union Campaigns | CARRIED OVER |
|---------|---|--------------|

**Public Preschool Programs**

**Not Enacted**

- |         |   |              |
|---------|---|--------------|
| LD 1043 | An Act To Establish Universal Public Preschool Programs | CARRIED OVER |
|---------|---|--------------|

**Safe Schools and Student Conduct**

**Not Enacted**

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| LD 1376 | An Act To Direct the Department of Education To Amend Its Rules To Ensure That Physical Restraint and Seclusion Policies Are Followed and Make Biennial Reports on the Use of Physical Restraint and Seclusion | CARRIED OVER |
| LD 2016 | An Act Regarding School Discipline for Maine's Youngest Students   | ONTP         |
| LD 2156 | Resolve, Requiring the Department of Education To Report on Issues Relating to Bullying in Schools   | CARRIED OVER |

**School Boards and School Budgets**

**Enacted**

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| LD 1918 | An Act To Amend the Laws Regarding the Reserve Funds of Certain School Organizational Structures | PUBLIC 588 |
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**Not Enacted**

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| LD 1879 | An Act Regarding the Adoption of Education Policies by School Boards | CARRIED OVER |
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**School Construction, Facilities and Transportation**

**Not Enacted**

LD 712	An Act To Increase the School Construction Debt Service Limit	CARRIED OVER
LD 1894	An Act To Incentivize the Purchase of Electric Public School Buses	CARRIED OVER

**School Finance**

**Not Enacted**

LD 2024	An Act To Remove from the Calculation of the Cost of Education the Maine Public Employees Retirement System Teacher Plan Unfunded Actuarial Liability	CARRIED OVER
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**Special Education**

**Not Enacted**

LD 136	Resolve, To Require the Department of Education To Study and Report on the Special Education Funding Component of the School Funding Formula	HELD BY GOVERNOR
LD 791	An Act To Provide School Districts with Full State Funding for Students with High-cost Special Education Needs	ONTP
LD 1715	An Act To Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years of Age	ONTP

**Teachers and Administrators**

**Enacted**

LD 1858	An Act To Protect Teachers from Professional Teacher Certificate Endorsement Changes	PUBLIC 584
LD 2035	An Act To Modify Teacher Certification Expiration Dates for Teachers Who Use Family Medical Leave	PUBLIC 610

**Not Enacted**

LD 178	An Act To Increase the State Share of the Cost of Health Insurance for Retired Teachers	CARRIED OVER
LD 427	An Act To Require the State to Fund Teacher Retirement	CARRIED OVER

<b>LD 1857</b>	<b>An Act To Protect Teacher from Punitive or Retaliatory Transfers</b>	<b>ONTP</b>
<b>LD 2166</b>	<b>An Act To Implement the Recommendations of the Work Group on the Laws Governing Investigations by School Entities into Holders of Credentials</b>	<b>CARRIED OVER</b>