

Bills of Interest carried over from 1st session

LD 215 - An Act To Improve Student Retention in Maine's Post secondary Institutions

SUMMARY

This bill directs Jobs for Maine's Graduates, a state-authorized nonprofit corporation, to provide mentoring and counseling services, course guidance and graduation planning, peer support services and financial guidance to up to 200 students and at up to 4 postsecondary institutions in the State for the purpose of significantly increasing the percentage of eligible students who obtain a postsecondary degree. Eligible students must have previously been enrolled in a Jobs for Maine's Graduates high school program, been in or currently be in foster care or have earned a high school equivalency diploma within the 5 years prior to obtaining these services.

Committee on Education and Cultural Affairs vote Ought to Pass as Amended (Fiscal Note) on April 6, 2015. Signed by Governor as public law 4/14/16

LD 440 - An Act To Create a Secure, Therapeutic Mental Health Unit

SUMMARY

This bill provides for the establishment of a secure, therapeutic mental health unit for defendants undergoing court-ordered assessments to determine their competency to stand trial or their criminal culpability and to provide therapeutic care for forensic patients. The bill establishes the unit as follows.

1. It directs the Commissioner of Corrections and the Commissioner of Health and Human Services to enter into an agreement to establish the unit with the sheriff of either Cumberland County or Somerset County.
2. It directs the Department of Corrections to provide security for the unit. Security staff must be dedicated to the unit and trained to provide security in a mental health hospital environment.
3. It directs the Department of Corrections to provide therapeutic mental health care for the unit. The therapeutic mental health care must meet standards established by a national organization on correctional facilities mental health standards. The Department of Health and Human Services may also provide mental health services to the unit upon agreement with the Department of Corrections and the county jail.

4. It requires that the population in a secure, therapeutic mental health unit be separated by sight and sound from the general jail population.

5. It specifies that a person under a court order to undergo a mental evaluation by the State Forensic Service must be admitted to the unit unless the Department of Health and Human Services determines that the person's mental health condition contraindicates admittance to the unit, the person is an inmate at a state correctional facility or there is not a suitable bed available.

Committee on Criminal Justice and Public Safety submitted a Divided report on April 1, 2016. (Dead) 4/7/16

LD 898 - An Act To Reduce Student Loan Debt through an Expansion of the Educational Opportunity Tax Credit

SUMMARY

This bill allows students who are pursuing or have pursued a course of study available only at a public institution outside the State as part of the New England regional student program offered by the New England Board of Higher Education to be eligible for the educational opportunity tax credit, starting with the tax year beginning January 1, 2016.

Committee on Taxation reported as Ought to Pass as Amended (Dead 4/29/16)

This amendment extends to a graduate who pursued a course of study available only at a public institution outside the State as part of the New England regional student program offered by the New England Board of Higher Education the same allowance as is provided for graduates of Maine accredited institutions, which provides that a graduate is not disqualified if or fewer of the graduate's credit hours were obtained from a nonqualifying non-Maine community college, college or university. The amendment also makes changes to the definition of "principal cap" in order to avoid misinterpretation. Fiscal note attached to Bill as well.

New Bills of Interest

LD - 1531 - An Act To Protect Victims of Human Trafficking

SUMMARY

This bill provides that victims of aggravated sex trafficking are eligible to file for protection from abuse orders and protection from harassment orders.

Reported out by Judiciary Committee April 1, 2016 as Ought to Pass as Amended (Minor funding) Signed by Governor as public law 4/7/2016

LD 1537 - An Act To Combat Drug Addiction through Enforcement, Prevention, Treatment and Recovery

SUMMARY

The purpose of this bill is to address drug addiction by increasing the number of drug enforcement agents and by increasing the availability of prevention, treatment and recovery programs.

1. Part A provides ongoing funding for 10 investigative agents in the Department of Public Safety, Maine Drug Enforcement Agency.
2. Part B directs the Department of the Attorney General to administer grants to local law enforcement agencies and county jails located in geographically diverse communities throughout the State to fund projects designed solely to facilitate pathways to community-based treatment, recovery and support services.
3. Part C directs the Department of Health and Human Services to provide grants to a substance abuse treatment entity to develop and operate a 10-bed social detoxification center located in the greater Bangor area.
4. Part D provides ongoing funding for annual grants to the Maine Association of Substance Abuse Programs for the establishment and expansion of peer support recovery centers and the coordination and provision of substance abuse prevention and education in schools and communities.
5. Part E provides funding to increase substance abuse residential treatment and substance abuse outpatient services for the uninsured.
6. Part F transfers \$725,000 in fiscal year 2015-16 and \$1,775,000 in fiscal year 2016-17 from the funds received pursuant to the court order in State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC, Kennebec County Superior Court Docket No. BCD-CV-14-49, to the unappropriated surplus of the General Fund.

Passed Both House and Senate January 19, 2016. Signed by Governor as Public Law January 19, 2016.

LD 1540 - An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials

SUMMARY

This bill removes the age limit on the victim of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault when the victim is a student at an elementary, secondary or special education school and the actor is a person at the school who has authority over the student. The bill also specifies that a parent convicted of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault is subject to stricter scrutiny by the court when it determines residence for and contact with a child of the parent when the victim was a student at an elementary, secondary or special education school and the parent was a person at the school who had authority over the student.

Committee on Criminal Justice and Public Safety Reported out as Out to Pass as Amended on February 23, 2016. Passed in House and Senate, Vetoed by Governor. Veto overridden and bill became public law 4/29/16

This amendment removes those sections of the bill that remove the age limit on the 17 victim of the crime of unlawful sexual contact and unlawful sexual touching when the victim is a student at an elementary, secondary or special education school and the actor is a person at the school who does not have authority over the student.

LD 1577 - An Act To Increase the Availability of Mental Health Services (Governor's Bill)

SUMMARY

This bill provides that, under certain circumstances, the Commissioner of Health and Human Services or the commissioner's designee may determine that a mental health unit at a correctional facility is an appropriate institution or program for the placement of persons who have been determined to be incompetent to stand trial or not criminally responsible by reason of insanity.

**Committee on Health and Human Services – Work Session held on February 24, 2016.
Committee voted on March 11 2016 with a Divided Report. (Dead) 4/29/16**

**LD 1594 - An Act To Direct the Commissioner of Education To Develop a Model Policy
Regarding Substance Abuse Education in Maine Schools**

SUMMARY

This bill requires the Commissioner of Education, in consultation with organizations that have expertise in substance abuse prevention education, to develop a model policy for substance abuse prevention education that is available to students in grades 6 to 12.

**Committee on Education and Cultural Affairs Voted as Ought Not To Pass on March 2,
2016 (Dead) 4/4/16**

**LD 1627 - An Act To Implement Certain Recommendations of the Maine Proficiency
Education Council**

SUMMARY

This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Joint Rule 353. The bill includes certain recommendations proposed in the report submitted by the Maine Proficiency Education Council established pursuant to Resolve 2015, chapter 41, section 3 for consideration by the joint standing committee. The joint standing committee has not taken a position on the substance of the report or this bill and by submitting this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees

with any aspect of the recommendations and the necessary changes to the Maine Revised Statutes, Title 20-A included in the report or this bill. The joint standing committee is submitting the bill for the sole purpose of turning certain proposals in the report into a printed bill that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course of business. The joint standing committee is taking this action to ensure clarity and transparency in the legislative review of the proposals included in the report submitted by the Maine Proficiency Education Council.

From Dick Durost at the MPA on March 17

The Education Committee unanimously approved language this afternoon establishing the following requirements for showing proficiency in meeting content standards. This bill will now move to the House, Senate and Governor. Achieving a unanimous vote increases the chance for success at those other levels.

Transitions (waivers) remain in effect.

Class of 2021 Students must be proficient in Core Four Content Areas: English/LA, math, science/tech, and social studies.

Class of 2022 Core Four plus one other area of the student's choice

Class of 2023 Core Four plus two others of student's choice

Class of 2025 All 8 content areas.

There is language still being clarified around special education students qualifying for diplomas that will likely be based (in part) on the IEP.

Committee on Education and Cultural Affairs on March 16 as Ought to Pass as Amended. Signed by Governor as public law 4/19/16

LD 1641 - An Act To Establish a Commission To Reform Public Education Funding and Improve Student Performance in Maine and Make Supplemental Appropriations and Allocations for the Expenditures of the Department of Education and To Change Certain Provisions of the Law Necessary to the Proper Operations of Government for the Fiscal Year Ending June 30, 2017. (Governor's Bill)

SUMMARY

Part A of the bill directs the Commissioner of Education or the commissioner's designee to convene, no later than May 1, 2016, a commission to reform public education funding and improve student performance in the State. The Commissioner of Education is directed to submit

by January 10, 2017 and January 10, 2018 to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters a report of the commission that includes findings and recommendations for action to reform public education funding and improve student performance in Maine. Notwithstanding Joint Rule 353, the commissioner is authorized to submit to the Legislature a bill to implement the commission's recommendations.

Part B requires the State Controller to transfer \$15,000,000 in fiscal year 2016-17 from the General Fund unappropriated surplus to the General Purpose Aid for Local Schools program, General Fund account within the Department of Education.

Part C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2016-17, the state contribution and the annual target state share percentage. In addition, Part C accomplishes the following.

1. Under current law, the Commissioner of Education may report and pay to the Treasurer of State to be credited to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education no more than \$335,000 in fiscal year 2014-15 from fees for the initial issuance of and renewal of teacher, education specialist and administrator certificates. This Part extends that limitation to each fiscal year beyond fiscal year 2014-15.
2. This Part changes from fiscal year 2016-17 to fiscal year 2017-18 when the State must begin increasing the state share percentage of the funding for the cost of essential programs and services by at least one percentage point per year over the percentage of the previous year until the state share percentage of the total cost of funding public education from kindergarten to grade 12 reaches 55%.
3. It adds, beginning in fiscal year 2016-17, charter schools to the list of essential programs and services components to be reviewed.
4. It changes the deadline for the commissioner to make annual recommendations regarding the funding levels for essential programs and services from prior to December 15th of each year to prior to January 20th of each fiscal year.
5. It strikes the provision of law that authorizes the commissioner, for school administrative units that annually demonstrate savings by purchasing supplies using an electronic bidding forum, to suspend all or a portion of the adjustment to the unit's state contribution.

Passed by both House and Senate on March 9, 2016 and signed by Governor on March 10, 2016. Public Law.

LD 1674 - An Act To Create Community Substance Abuse Programs (Governor's Bill)

SUMMARY

This bill requires a court to sentence a person who is convicted of unlawful possession of a scheduled drug to a definite term of imprisonment but suspend all of the sentence if the person has no prior convictions for certain drug-related offenses or other specified crimes, such as assault or sexual assault. The person must be sentenced to a definite term of probation with the condition that the person successfully complete a community substance abuse program. This bill specifies that probation may be imposed for a Class D or Class E crime of unlawful possession of a scheduled drug. This bill requires each county sheriff to establish a community substance abuse program at that sheriff's regional or county jail. Programs are administered by the counties and must meet certification standards established by the Department of Corrections by rule. The bill establishes the Community Substance Abuse Fund to annually reimburse counties for the cost of the community substance abuse programs that meet the department's certification requirements. A person participating in a program must comply with certain requirements in order to successfully complete the program, including submitting to electronic monitoring and daily testing for illegal drug and alcohol use, and must participate in the program for 12 months. If a person fails to successfully complete the program, the court is required to revoke the probation for that person and that person must serve the unsuspended portion of the sentence in the custody of the Department of Corrections.

Indefinitely Postponed by both House and senate (Dead)