

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

August 2015

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

| | |
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| <i>CARRIED OVER</i> | <i>carried over to a subsequent session of the Legislature</i> |
| <i>CON RES XXX</i> | <i>chapter # of constitutional resolution passed by both houses</i> |
| <i>CONF CMTE UNABLE TO AGREE</i> | <i>Committee of Conference unable to agree; legislation died</i> |
| <i>DIED BETWEEN HOUSES</i> | <i>House & Senate disagreed; legislation died</i> |
| <i>DIED IN CONCURRENCE</i> | <i>defeated in each house, but on different motions; legislation died</i> |
| <i>DIED ON ADJOURNMENT</i> | <i>action incomplete when session ended; legislation died</i> |
| <i>EMERGENCY</i> | <i>enacted law takes effect sooner than 90 days after session adjournment</i> |
| <i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i> | <i>emergency failed to receive required 2/3 vote</i> |
| <i>FAILED, ENACTMENT or FINAL PASSAGE</i> | <i>failed to receive final majority vote</i> |
| <i>FAILED, MANDATE ENACTMENT</i> | <i>legislation proposing local mandate failed required 2/3 vote</i> |
| <i>HELD BY GOVERNOR</i> | <i>Governor has not signed; final disposition to be determined at subsequent session</i> |
| <i>LEAVE TO WITHDRAW</i> | <i>sponsor's request to withdraw legislation granted</i> |
| <i>NOT PROPERLY BEFORE THE BODY</i> | <i>ruled out of order by the presiding officer; legislation died</i> |
| <i>INDEF PP</i> | <i>indefinitely postponed; legislation died</i> |
| <i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> | <i>ought-not-to-pass report accepted; legislation died</i> |
| <i>P&S XXX</i> | <i>chapter # of enacted private & special law</i> |
| <i>PUBLIC XXX</i> | <i>chapter # of enacted public law</i> |
| <i>RESOLVE XXX</i> | <i>chapter # of finally passed resolve</i> |
| <i>VETO SUSTAINED</i> | <i>Legislature failed to override Governor's veto</i> |

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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administrative units throughout the State. The amendment proposes 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 and money received from a social impact bond. 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 or 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 economically disadvantaged students and their peers;
 - 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 2016-17, the department is required to provide grant funding, through a grant application process, to cover 90 percent of the costs of summer success programs in school administrative units with greater than 50 percent 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, 2015 that outlines the proposed rules to implement the fund by the 2016-2017 school year.

It adds an appropriations and allocations section.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 428 An Act To Amend the Powers and Duties of the State Board of Education

PUBLIC 72

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| LANGLEY KORNFELD | OTP | |

This bill specifically authorizes the State Board of Education to enter into an interstate reciprocity agreement regarding postsecondary distance education, to administer the agreement and to approve or disapprove an application to participate in the agreement from a postsecondary institution that has its principal campus in the State.

Enacted Law Summary

Public Law 2015, chapter 72 specifically authorizes the State Board of Education to enter into an interstate reciprocity agreement regarding postsecondary distance education, to administer the agreement and to approve or

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disapprove an application to participate in the agreement from a postsecondary institution that has its principal campus in the State.

LD 441 An Act To Amend the Laws Governing Local Share of Education Costs

**Accepted Majority
(ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LIBBY POULIOT | ONTP OTP-AM | |

This bill extends the remaining phase-out of the proportional share reduction for school administrative units not meeting their required local share of education funding from one more year, ending in fiscal year 2015-16, to three more years, ending in fiscal year 2017-18.

Committee Amendment "A" (S-45)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs; it incorporates a fiscal note.

LD 454 An Act To Enact the Student Information Privacy Act

PUBLIC 256

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KATZ POULIOT | OTP-AM | S-222 |

This bill establishes requirements for providers of websites, mobile applications or online services that collect, maintain or use personal information of elementary or secondary school students.

Committee Amendment "A" (S-222)

This amendment replaces the bill. The amendment enacts the Student Information Privacy Act, which prohibits the operator of an Internet website, online service or mobile application designed, marketed and used for kindergarten to grade 12 purposes from presenting targeted advertising to students, amassing a profile of a student except in furtherance of school purposes, selling student data or disclosing student personally identifiable data without consent. The amendment permits an operator to disclose data in certain circumstances and under certain limitations, including to ensure legal and regulatory compliance, to participate in judicial process, for legitimate research purposes and for school purposes to a school, school administrative unit or state agency. The amendment requires an operator to maintain reasonable security procedures and practices to protect student data and requires an operator to delete data upon request of a school or school administrative unit. The amendment requires compliance with the Student Information Privacy Act by the 2016-2017 school year when an operator has signed a contract with the Department of Education, a school administrative unit or a school prior to enactment.

Enacted Law Summary

Public Law 2015, chapter 256 enacts the Student Information Privacy Act, which prohibits the operator of an Internet website, online service or mobile application designed, marketed and used for kindergarten to grade 12 purposes from presenting targeted advertising to students, amassing a profile of a student except in furtherance of school purposes, selling student data or disclosing student personally identifiable data without consent. The law permits an operator to disclose data in certain circumstances and under certain limitations, including to ensure legal and regulatory compliance, to participate in judicial process, for legitimate research purposes and for school purposes to a school, school administrative unit or state agency. The law requires an operator to maintain reasonable security procedures and practices to protect student data and requires an operator to delete data upon