

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> 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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# STATE OF MAINE

127<sup>TH</sup> LEGISLATURE  
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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 127<sup>th</sup> Maine Legislature.

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

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

<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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 127<sup>th</sup> 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.

## Joint Standing Committee on Education and Cultural Affairs

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

*Joint Standing Committee on Education and Cultural Affairs*

request of a school or school administrative unit. The law 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.

**LD 461      An Act To Change the Notification Deadline for the Nonrenewal of a  
Teacher's Contract**

**PUBLIC 65**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER EDGECOMB P	OTP-AM	H-51

This bill changes the deadline for a superintendent to notify a teacher of the superintendent's decision not to renew the teacher's contract from at least six months before the terminal date of the contract to at least 90 days before the terminal date of the contract. It also requires the school administrative unit to pay a forfeiture to the teacher if this deadline is not met.

**Committee Amendment "A" (H-51)**

This amendment strikes and replaces the bill to provide that the deadline for a superintendent to notify a teacher of the superintendent's decision not to renew the teacher's contract is at least six months before the terminal date of the contract except for teachers who received a summative effectiveness rating indicating ineffectiveness pursuant to the performance evaluation and professional growth system established under the Maine Revised Statutes, Title 20-A, chapter 508 for the preceding school year. The amendment also requires that unless the superintendent provides a written notice to the contrary not later than May 15th to a teacher who received a summative effectiveness rating indicating ineffectiveness pursuant to chapter 508 for the preceding school year, the teacher's contract must be extended automatically for one year.

**Enacted Law Summary**

Public Law 2015, chapter 65 provides that the deadline for a superintendent to notify a teacher of the superintendent's decision not to renew the teacher's contract is at least six months before the terminal date of the contract except for teachers who received a summative effectiveness rating indicating ineffectiveness pursuant to the performance evaluation and professional growth system established under the Maine Revised Statutes, Title 20-A, chapter 508 for the preceding school year. The law also requires that unless the superintendent provides a written notice to the contrary not later than May 15th to a teacher who received a summative effectiveness rating indicating ineffectiveness pursuant to chapter 508 for the preceding school year, the teacher's contract must be extended automatically for one year.

**LD 462      An Act To Clarify Rulemaking for Transportation of Public School  
Students**

**PUBLIC 73**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	OTP-AM	H-62

This bill removes from the education laws rule-making language regarding the transportation of public preschool students.

**Committee Amendment "A" (H-62)**

This amendment requires the Department of Education to adopt major substantive rules in the event that the Federal Government or the State requires transportation to be provided for public preschool children.