

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

B. Staffing, including student-teacher ratios, except that the approval rules in effect for the school years beginning in the fall of 1991, 1992, 1993, 1994 ~~and~~, 1995, 1996 and 1997 must permit maximum student-teacher ratios of 25:1 school-wide for kindergarten to grade 8 and maximum student-teacher ratios of 30:1 school-wide for grades 9 to 12;

**Sec. 2. 20-A MRSA §4502, sub-§5, ¶H**, as amended by PL 1991, c. 9, Pt. II, §2, is further amended to read:

H. Student personnel services, including guidance and counseling and, notwithstanding any rules adopted by the department, comprehensive guidance plans to be approved by the commissioner for implementation in the ~~1995-96~~ 2000-01 school year;

**Sec. 3. 20-A MRSA §4502, sub-§5-A**, as enacted by PL 1991, c. 622, Pt. X, §3, is amended to read:

**5-A. Application.** The provisions of subsection 5, paragraph H do not apply to the school years beginning in the fall of 1991, 1992, 1993, 1994 ~~and~~, 1995, 1996 and 1997.

**Sec. 4. 20-A MRSA §4504, sub-§2**, as amended by PL 1993, c. 435, §4 and affected by §14, is further amended to read:

**2. Comprehensive reviews.** The commissioner shall, on a one-year to 5-year cycle, make a comprehensive review of each public school to determine whether the school is in compliance with basic school approval standards. These reviews must, insofar as is practicable, be coordinated with reviews of other schools in the school unit, accreditation visits, special education reviews, federal program reviews and other required reviews or inspections, so as to reduce administrative burdens on school personnel. During the school years beginning in the fall of 1991, 1992, 1993, 1994 ~~and~~, 1995, 1996 and 1997, the comprehensive reviews required by this subsection may include site visits.

**Sec. 5. 20-A MRSA §4517**, as enacted by PL 1991, c. 622, Pt. X, §5, is amended to read:

**§4517. Waiver of requirements**

The provisions of this subchapter do not apply to the school years beginning in the fall of 1991, 1992, 1993, 1994 ~~and~~, 1995, 1996 and 1997.

**Sec. 6. 20-A MRSA §8104, sub-§1**, as amended by PL 1991, c. 622, Pt. X, §6, is further amended to read:

**1. Establishment.** Each school administrative unit must, commencing with the 1987-88 school year, establish a plan for phasing in gifted and talented educational programs by ~~1995-96~~ 1998-99. ~~No~~ A school administrative unit or part of a school administrative unit is not required to comply with the provisions of its plan during the school years beginning in the fall of 1991, 1992, 1993, 1994 ~~and~~, 1995, 1996 and 1997.

See title page for effective date.

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**CHAPTER 528**

**H.P. 1233 - L.D. 1693**

**An Act to Enhance Fireworks Safety**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 8 MRSA §222**, as enacted by PL 1985, c. 23, §2, is amended to read:

**§222. Possession of fireworks**

~~No~~ A person may not possess or have under ~~his~~ that person's control fireworks, except if that person is issued a permit pursuant to section 227.

**Sec. 2. 8 MRSA §229, sub-§1**, as enacted by PL 1985, c. 23, §2, is amended to read:

**1. Criminal penalties.** ~~Any~~ A person who violates section 222, ~~where~~ if the value of the fireworks possessed exceeds \$100, or section 224 or 225 ~~is guilty of~~ commits a Class E crime. A person who violates section 227 by failing to obtain a permit for display commits a Class D crime. Any person who violates section 227 by conducting the display in violation of the permit commits a Class E crime.

See title page for effective date.

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**CHAPTER 529**

**H.P. 1247 - L.D. 1709**

**An Act to Describe Property Posting under the Criminal Trespass and Trespass by Motor Vehicle Laws**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 17-A MRSA §402, sub-§1, ¶C**, as amended by PL 1989, c. 793, is further amended to read: