

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 38

H.P. 328 - L.D. 387

AN ACT to Insure Prompt Answers to Petitions
Filed by Employers and Employees.

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

39 MRSA §97, as amended by PL 1981, c. 199, §3, is further amended to read:

Within ~~30~~ 20 days after receipt of such petition all the other parties interested in opposition shall file an answer thereto with the commission and mail a copy thereof to the petitioner, which answer shall state specifically the contentions of the opponents with reference to the claim as disclosed by the petition. The commission or any commissioner may grant further time for filing answer, and allow amendments to said petition or answer at any stage of the proceedings. If any party opposing such petition does not file an answer within the time limited, the hearing shall proceed upon the petition.

Except that, for good cause shown, a single commissioner may permit the late filing of any pleading permissible under this Act.

Effective September 23, 1983.

CHAPTER 39

H.P. 644 - L.D. 772

AN ACT to Apply Uniform Penalties for
Local School Administrative Units that
Employ Uncertified Personnel.

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

Sec. 1. 20-A MRSA §1051, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Eligibility requirements. Only those persons who hold a state certificate of superintendence grade may be eligible to become superintendents. Members

of the school board may not be eligible to become superintendent in the school administrative unit which they represent. Superintendents' certificates may be revoked in accordance with section 13001. Grounds for revocation shall include, but not be limited to, the employment or retention of uncertified personnel in a school administrative unit in violation of this Title or of any rules adopted pursuant to this Title.

Sec. 2. 20-A MRSA §13003, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

2. Penalty. A person not certified under section 13001 is barred from receiving any salary or fringe benefits if he teaches or performs any other professional function in a public school and:

A. He has never held the required certificate; or

B. He knew or should have known that his certificate had expired. Prima facie evidence of that knowledge would be records on file in either the department or the employing school administrative unit that he was notified that his certificate had lapsed or that it would be lapsing on a given date.

The person shall forfeit to the employing school administrative unit any salary or fringe benefits received in violation of this subsection.

Sec. 3. 20-A MRSA §15510, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Schedules of payment of state allocation. The commissioner shall authorize state allocation payments to the school administrative units to be made in accordance with time schedules set forth in section 15005, sections 15901 to 15910 and Title 20, sections 3457 to 3460. The commissioner may reduce the state allocation to an administrative unit in the current year or following year by an amount that represents the state share of expenditures for salaries and benefits paid to uncertified personnel in the current year or in the base year.

Effective September 23, 1983.
