

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

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

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

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

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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section 8. The board shall consist of 9 10 members, one of whom shall be the Director of the Bureau of Veterans' Services, ex officio, who shall serve without term. The Governor shall appoint the remaining trustees, who shall be honorably discharged war veterans. One member shall be appointed from and shall represent each of the largest veterans' organizations, not exceeding 5, which are nationally chartered and have a department in Maine. The remaining members shall be appointed at large and shall serve staggered 3-year terms. The membership shall be distributed across the State so that 3 reside in the southern part of the State, 3 in the central part and 3 in the northern part. In the event of a vacancy, the successor shall be appointed to complete the unexpired term. Each trustee shall continue to hold office until his successor is appointed and qualified.

Sec. 4. Budget request. The Department of Human Services shall include in its current services budgets, beginning in the first year of projected operation of each additional veterans' home authorized under this Act, adequate funds to support Medicaid's share of patient care expenses for up to 180 beds, provided that no more than 50 of these beds shall be funded prior to 1990.

Effective July 16, 1986.

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## CHAPTER 774

H.P. 1569 - L.D. 2219

AN ACT to Provide Technical Assistance to  
Schools on Truancy, Dropouts and  
Alternative Educational Programs and  
to Amend the Permanent School Fund.

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

Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(17-A) is enacted to read:

(17-A)	<u>Education,</u>	<u>Advisory</u>	<u>Expenses</u>	<u>20-A MRSA</u>
	<u>Truants and</u>	<u>Committee</u>	<u>Only</u>	<u>§5152</u>
	<u>Dropouts</u>			

Sec. 2. 13 MRSA §3167, as amended by PL 1973, c. 628, §5, is further amended to read:

§3167. Income to support schools

All income derived from such the ministerial and school lands, and from the rents and profits of real and personal estate held under section 3166, shall be annually applied to the support of public schools in the town or the schooling of resident students, and expended like other school moneys money.

Sec. 3. 20-A MRSA §257, sub-§3, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

3. Fees. The commissioner may charge a fee or pay a fee under section 15002, subsection 3, sufficient to defray operating costs for a certificate. An honorably discharged or released veteran of the Armed Forces of the United States or a person judged by the commissioner to be economically disadvantaged shall be exempt from payment of a fee. That fee shall be paid from the income of the Permanent School Fund.

Sec. 4. 20-A MRSA §4502, sub-§5, ¶L, as enacted by PL 1983, c. 859, Pt. A, §§20 and 25, is amended to read:

L. Prepare and implement an on-going school improvement process and annually update a written school improvement plan, including a fully developed staff development plan and a plan addressing truants, dropouts, alternative education, prevention of truancy and return to school, citing progress and trends with respect to school improvement.

Sec. 5. 20-A MRSA c. 211, sub-c. IV is enacted to read:

SUBCHAPTER IVTECHNICAL ASSISTANCE§5151. Technical assistance for truants, dropout prevention and return and alternative education

The commissioner shall provide technical assistance regarding truancy, dropouts and alternative educational programs. To do this, the commissioner shall employ at least one consultant whose sole responsibility is to cover the area of truancy, dropouts and alternative education.

1. Qualifications. Any consultant must be knowledgeable in the problems of truancy and dropouts and policies and programs pertaining to the problem and have this as his sole responsibility.

2. Duties. The consultant shall:

A. Provide technical assistance to school administrative units and private schools approved for tuition purposes to establish alternative programs;

B. Develop screening tools for early identification of potential dropouts;

C. Act as a clearinghouse for information on alternative education programs in the State, on exemplary programs in other states and on research pertaining to the subject, and promote effective programs;

D. Function as a liaison among the commissioner, department staff, advisory committee and school administrative units and private schools as it pertains to truants, dropouts, alternative education and adult education;

E. Develop model curricula and programs for alternative educational schools and programs;

F. Assess and provide for the evaluation of alternative educational programs consistent with the standards established by the commissioner;

G. Develop training programs for superintendents, principals and school attendance officers to improve effectiveness in performance of their duties as pertains to truants, dropouts and alternative education;

H. Develop and submit a plan on behalf of the commissioner for the joint standing committee of the Legislature having jurisdiction over education and the state board on the prevalence of truancy and dropouts, assess alternative and adult educational programs and prepare positive strategies to prevent and remedy the problems identified;

I. Have the responsibility for preventive and alternative programs;

J. Collect data on the scope of the dropout and truancy problem in the State;

K. Evaluate the scope of the problem of dropouts and truants and programs and policies directed to meet it;

L. Provide staff services to the advisory committee; and

M. Plan and coordinate programs and grant writing to stimulate programs and research on the problem of dropouts, truants, alternative education and adult education.

§5152. Advisory committee

1. Commissioner. The commissioner shall appoint an advisory committee on truancy, dropouts and alternative education.

2. Duties of the advisory committee, as appointed by the commissioner. The advisory committee shall advise the commissioner on the development and implementation of state and local policies and programs that are needed to deal effectively with the incidence of truancy and dropouts in state schools. They should consider their mandate in a broad context to assess the causes of truancy and dropouts, the effectiveness of alternative and prevention programs and the social and educational programs or changes needed to encourage students to remain in school.

3. Membership. The advisory committee shall have a broad membership reflecting the range of individuals and public and private institutions which are involved or interested in the problem and its solution. These shall include representation from each of the following:

A. Teachers;

B. Elementary school principals;

C. Secondary school principals;

D. Guidance counselors;

E. Adult education teachers with experience in high school completion education;

F. Superintendents;

G. Administrators from private schools involved in alternative education;

H. Department of Human Services;

I. Department of Mental Health and Mental Retardation;

J. Department of Corrections;

K. Department of Labor;

L. A local positive action committee on truancy, dropout and alternative programs;

M. Representatives from the business community;  
and

N. Other individuals who the commissioner feels will contribute to the development of effective policies and programs.

Two of the representatives in paragraphs A to D shall be directly involved in alternative education. There shall be no more than 15 members on the committee.

4. Term of office. The members of the advisory committee shall serve for 2 years and may be reappointed.

5. Expenses. Members of the advisory committee shall be reimbursed for expenses only for attending meetings or performing other functions authorized by the committee.

6. Annual reports. The committee shall report annually by February 1st to the joint standing committee of the Legislature having jurisdiction over education.

#### §5153. Rules

The commissioner shall establish rules to implement this subchapter by January 1987.

Sec. 6. 20-A MRSA §15002, as enacted by PL 1981, c. 693, §§5 and 8, is repealed:

Sec. 7. 20-A MRSA §15002-A is enacted to read:

#### §15002-A. Permanent School Fund

The Treasurer of State shall keep a separate account of all money received from sales of lands appropriated for the support of schools or from notes taken therefor and of any other money appropriated



for the same purpose. Those sums shall constitute a Permanent School Fund, which shall be invested in such securities as are legal investments for savings banks under Title 9. The income from these investments shall be placed in a dedicated revenue, interest-bearing account and shall be available to be used as follows:

1. Alternative education, school dropouts and truants. Financing the department's obligation to provide services to encourage the development of alternative educational programs, including high school completion programs through adult education programs and shall address other needs of school dropouts and truants as more specifically set forth in sections 5151 to 5153;

2. Allocation to school units. Allocations to school administrative units for the purpose of surveying school systems and developing school plans. The allocations shall not in any case exceed the unit's local share percentage determined under section 15609 of the School Finance Act times the cost of those surveys or plans; and

3. Fees for equivalency certificates. Payment of the cost of fees established for high school equivalency certificates for honorably discharged or released veterans of the United States Armed Forces or for those persons determined by the commissioner to be economically disadvantaged.

Sec. 8. 20-A MRSA §15006 is enacted to read:

§15006. Ministerial and school lands

All income derived from ministerial and school lands within a municipality from rents and profits of real and personal estate held under Title 13, section 3166, shall be annually applied to the support of public schools in the municipality or the schooling of resident students and expended like other school money.

Sec. 9. Allocation. The following funds are allocated from other special revenue funds to carry out the purposes of this Act.

1986-87

EDUCATIONAL AND CULTURAL SERVICES,  
DEPARTMENT OF

	<u>1986-87</u>
Administration - Education	
Positions	(2)
Personal Services	\$40,343
All Other	27,157
Capital Expenditures	4,500
Total	<u>\$72,000</u>
Advisory Committee on Truancy, Dropouts and Alternative Education	
All Other	<u>\$10,000</u>
TOTAL ALLOCATIONS	\$82,000

Sec. 10. Transfer from the special revenue fund to the Permanent School Fund. Five hundred thousand dollars shall be transferred from the Permanent School Fund Account in the special revenue fund to the Permanent School Fund for investment purposes.

Sec. 11. Effective date. Section 4 of this Act shall take effect August 1, 1988.

Effective July 16, 1986 unless otherwise indicated.

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## CHAPTER 775

S.P. 888 - L.D. 2237

AN ACT to Establish the New England and  
Eastern Canada Legislative Commission.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a Maine-New Brunswick Legislative Conference is already in the planning stages; and

Whereas, this bill is immediately necessary in order that the conference become a reality; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,