

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

and the

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

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

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Twin City Printery  
Lewiston, Maine  
1988

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST AND SECOND SPECIAL SESSIONS  
and  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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5. Training and certification of code enforcement officers. In cooperation with the Vocational-Technical Institute System and the Department of Human Services, the office shall establish a continuing education program for people engaged in code enforcement. This program shall provide basic and advanced training in the technical and legal aspects of code enforcement necessary for certification, including, but not limited to, plumbing inspection, soils and site evaluation, electrical inspection, state and federal environmental requirements, zoning ordinances, court techniques and other enforcement information.

6. Examination. The office shall hold at least one examination each year for the purpose of examining candidates for certification or recertification at a time and place designated by it. Additional examination dates may be held by the office to carry out the purposes of this subchapter.

7. Certification standards. The office shall establish by rule the qualifications, conditions and licensing standards and procedures for the certification and recertification of individuals to act as code enforcement officers. A code enforcement officer need only be certified in the areas of actual job responsibilities. The rules established by the office under this subsection shall identify standards for each of the areas of training under subsection 5, in addition to general standards that apply to all code enforcement officers.

8. Certificates. The office shall issue certificates attesting to the competency of individuals to act as code enforcement officers. Certificates are valid for a period of 5 years unless revoked by the Administrative Court.

A. The Administrative Court may revoke the certificate of a code enforcement officer, in accordance with Title 4, chapter 25, when it finds that the code enforcement officer has practiced fraud or deception; that reasonable care, judgment or the application of a duly trained and knowledgeable code enforcement officer's ability was not used in the performance of the duties of the office; or that the code enforcement officer is incompetent or unable to perform properly the duties of the office.

B. Code enforcement officers whose certificates are invalidated under this subsection may be issued new certificates provided that they are newly certified as provided in this section.

C. This subchapter shall not be construed to affect or prevent the practice of any other legally recognized profession.

Sec. 11. Application. The provisions of section 1 shall apply to all applications before any municipal or state reviewing authority at the time of the effective date of this Act.

Effective August 4, 1988.

## CHAPTER 767

H.P. 1575 — L.D. 2150

### AN ACT to Provide for Child Care and Child Development Training for Student Parents.

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

Sec. 1. 20-A MRSA c. 223, sub-c. VIII is enacted to read:

#### SUBCHAPTER VIII

#### CHILD CARE SERVICES AND PARENTING EDUCATION

##### §6651. Child care services

School administrative units may develop school-based child care services.

1. Purpose. The purpose of the school-based child care services is to:

A. Make it possible for student parents to continue attending or return to school;

B. Provide parenting education and training in child development for teenage parents; and

C. Aid teacher recruitment.

2. Program. School-based child care services shall:

A. Be developmentally based;

B. Be available on a priority basis first to children of students in the school administrative unit and 2nd to children of teachers or other employees in the unit; and

C. Include training in parenting and child development for the student parents of the children in the program.

3. Subsidizable costs under the School Finance Act of 1985. The cost of salaries and educational materials attributable to the child care service shall be calculated on a per-child basis. One hundred percent of the cost per child times the number of children whose parents attend school in the school unit shall be subsidizable as program costs under the School Finance Act of 1985.

4. Cost to teachers and other employees. A school administrative unit may offer school-based child care services to teachers and other employees of the unit in accordance with a policy established by the local school board which establishes the basis for participation. The school administrative unit shall charge a fee for provision of such services which is at least equal to the per-child cost defined in subsection 3.

5. Costs to students. There shall be no cost to the student for enrolling a child in a child care service offered by a school administrative unit if the student has an educational plan, approved by the school unit, leading to academic progress and the attainment of reasonable educational goals.

§6652. Parenting and training in child development

A school administrative unit which provides child care services under section 6651 shall offer a one-semester course in parenting and child development to secondary school students.

§6653. Rules

The department may adopt rules governing this subchapter pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375.

**Sec. 2.** 20-A MRSA §15603, sub-§22, ¶D, as amended by PL 1987, c. 523, §3, is further amended to read:

D. Starting in 1986-87 for expenditures in the base year 1984-85, the following preschool handicapped services:

- (1) The salary and benefit costs of certified professional, assistants and aides or persons contracted to perform preschool handicapped services which have been approved by the commissioner; and
- (2) The cost of tuition to other schools for programs which have been approved by the commissioner; and

**Sec. 3.** 20-A MRSA §15603, sub-§22, ¶E, as enacted by PL 1987, c. 523, §4, is amended to read:

E. The cost of tuition, books, fees and transportation for courses taken at post-secondary institutions under chapter 208; and

**Sec. 4.** 20-A MRSA §15603, sub-§22, ¶F is enacted to read:

F. Starting in 1990-91 for expenditures in base year 1988-89, the cost of child care services as specified in section 6651, subsection 3.

**Sec. 5. Assessment of program; department report.** When adopting rules in accordance with this Act, the Department of Educational and Cultural Services shall identify and provide for the collection of specific information which will enable a long-term study and evaluation of this program to be conducted. The department shall report initially on the operation of this Act to the joint standing committee of the Legislature having jurisdiction over education by January 15, 1990.

Effective August 4, 1988.

## CHAPTER 768

S.P. 818 — L.D. 2138

### AN ACT to Provide Additional Appropriations to Continue the Dioxin Study.

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

Resolve 1987, c. 57, is amended by adding at the end the following:

; and be it further

**Appropriation. Resolved:** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1988-89

HUMAN SERVICES, DEPARTMENT OF

Bureau of Health, Environmental Health Unit

All Other

These funds are to be used to carry out an on-going dioxin contamination study with field research at Highmoor Farm in conjunction with existing University of Maine research. Funds appropriated for this purpose shall carry forward to June 30, 1990.

\$20,000

Effective August 4, 1988.

## CHAPTER 769

S.P. 950 — L.D. 2521

### AN ACT to Correct Errors and Inconsistencies in the Laws of Maine.

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

Whereas, Acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

Whereas, these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; 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,