

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

**FIRST REGULAR SESSION**

December 3, 1986 to June 30, 1987

**FIRST SPECIAL SESSION**

October 9, 1987 to October 10, 1987

**SECOND SPECIAL SESSION**

October 21, 1987 to November 20, 1987

**SECOND REGULAR SESSION**

January 6, 1988 to May 5, 1988

**THIRD SPECIAL SESSION**

September 15, 1988 to September 16, 1988

and the

**FOURTH SPECIAL SESSION**

November 28, 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  
1989

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**RESOLVES**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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Whereas, some studies indicate a correlation between starting school too early and later academic and social difficulty; and

Whereas, no comprehensive study of school-entrance age has been conducted in this State for 20 years; 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, be it

**Sec. 1. Special commission established. Resolved:** That the Special Commission to Study School-entrance Age and Preschool Services is established. The commission shall consist of 15 members appointed jointly by the President of the Senate and the Speaker of the House as follows: Five members of the Joint Standing Committee on Education; 3 public school teachers, one kindergarten teacher, one transition grade teacher and one teacher in grades 7 to 12; one school superintendent; one elementary school principal; one school guidance counselor serving primarily grades 1 to 6; one University of Maine System faculty member familiar with early childhood development issues; one director of a publicly-funded day care center; one Headstart program director; and one member of a local coordinating committee of a preschool coordination project. The Joint Standing Committee on Education shall develop a list of suggested candidates for consideration by the President of the Senate and the Speaker of the House in making appointments to the commission. Appointments to the commission, as far as practicable, shall reflect geographical diversity and shall be made within 30 days of the effective date of this resolve. At the first meeting, the members shall select a chairman and cochairman. The Chairman of the Legislative Council shall convene the first meeting; and be it further

**Sec. 2. Duties. Resolved:** That the special commission shall review current research findings, survey national and international trends and consider the opinion of parents, teachers and administrators on the issue of appropriate school-entrance age. Specifically, the special commission shall:

1. Solicit expert testimony from various groups and persons interested in school entrance-age and related issues, including, but not limited to, parents; school psychologists; school medical personnel; special education personnel; personnel for gifted and talented students; and nursery school directors.

2. Review the experience with preschool, kindergarten and first grade screening, assessment and evaluation programs in this State;

3. Consider possible alternatives to chronological entrance age, including alternative grades, ungraded classes, transitional grades and statewide screening programs to provide appropriate education services; and

4. Assess the impact, financial and otherwise, of any change suggested to deal with the school-entrance age issue; and be it further

**Sec. 3. Report. Resolved:** That the special commission shall issue its report, including any proposed legislative recommendations, to the Second Regular Session of the 113th Legislature no later than March 1, 1988. In formulating the report, the special commission should consider the need for modeling innovative programs to provide the opportunity to test and evaluate alternatives to chronological entrance-age requirements; and be it further

**Sec. 4. Compensation. Resolved:** That the members of the commission who are Legislators shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at commission meetings. All members of the commission shall receive reimbursement for expenses upon application to the Executive Director of the Legislative Council; and be it further

**Sec. 5. Staff. Resolved:** That staff assistance for the special commission may be requested from the Legislative Council. The Department of Educational and Cultural Services shall also provide technical assistance to the special commission; and be it further

**Sec. 6. Appropriation. Resolved:** That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1987-88

LEGISLATURE

Special Commission to Study School-entrance Age and Preschool Services

Personal Services	\$1,650
All Other	6,700

Total	<u>\$8,350</u>
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Provides funds for the per diem, travel and related expenses of the special commission.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective June 29, 1987.

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CHAPTER 65

S.P. 595 — L.D. 1752

**Resolve, to Study the Relationship between Nonprofit Service Agencies and Professional Liability and Other Hard-to-obtain Lines of Liability Insurance.**

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

Whereas, recently, many nonprofit service agencies and some businesses in Maine have found it difficult to obtain property, casualty and liability insurance; and

Whereas, some of those agencies and some businesses that have been able to obtain property, casualty and liability insurance have experienced premium increases as high as 600% over the previous billing period; and

Whereas, in order for this study to be completed by November 15, 1987, work must begin as soon as possible after the adjournment of the First Regular Session of the 113th Legislature; 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, be it

**Study. Resolved:** That the Joint Standing Committee on Banking and Insurance shall study availability and affordability problems in professional liability, nonprofit service organizations and other hard-to-obtain lines of insurance. This study shall focus on the extent to which the problems stated in the preamble exist in the Maine economy. If these problems are found to exist to an extensive degree, the committee shall study the following insurance alternatives: Self-insurance funds, insurance compacts, reinsurance funds and experience based rating. If the committee concludes that any of these insurance alternatives would be beneficial in alleviating the problems stated in the preamble, the committee shall establish guidelines for implementing that alternative; and be it further

**Findings. Resolved:** That the committee shall report its findings and any recommended legislation to the Legislature by November 15, 1987; and be it further

**Staff assistance. Resolved:** That the committee shall request from the Legislative Council sufficient staff assistance, including limited-period contractual assistance, to carry out these duties; and be it further

**Meetings. Resolved:** That 4 members of the committee shall meet 5 times to study the issues through examination of data, consultation with staff and recognized experts and conducting public hearings; and be it further

**Reimbursement. Resolved:** That the members of the committee participating in the study shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at committee meetings. All members of the committee participating in the study shall receive expenses as defined in Title 3, section 2; and be it further

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

		<u>1987-88</u>
<u>LEGISLATURE</u>		
Study Commissions — Funding		
Personal Services		\$1,100
All Other		6,800
Total		<u>\$7,900</u>

Provides for the per diem travel and related expenses of a 4-member subcommittee of the Joint Standing Committee on Banking and Insurance. Also provides funds for a 3-month contractual research assistant position.

**Emergency clause.** In view of the emergency cited in the preamble, this Resolve shall take effect when approved.

Effective June 29, 1987.

## CHAPTER 66

### H.P. 802 — L.D. 1076

#### Resolve, to Establish a Commission to Study Health Services in Public Schools.

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

Whereas, this resolve establishes a commission to study health services in public schools; and

Whereas, in order to complete the study by February 1, 1988, it should be started as soon as possible; 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, be it

**Study commission created. Resolved:** That there is established the Commission to Study Health Services in Public Schools which provide counseling and services related to adolescent health needs; and be it further

**Appointment. Resolved:** That the commission shall consist of 13 members, appointed in the following manner: Two Senators appointed by the President of the Senate; 3 Representatives appointed by the Speaker of the House; the Commissioner of Human Services or his designee; the Commissioner of Educational and Cultural