

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION
December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION
January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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

J.S. McCarthy Company
Augusta, Maine
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

8. Rulemaking. The superintendent may adopt rules to administer and carry out this section.

Sec. 4. 9-B MRSA §854, sub-§1, as repealed and replaced by PL 1983, c. 51, §8, is amended to read:

1. Authorization; limitations. It shall be is the duty of the board of directors to establish the policies of the credit union with respect to the granting of loans and the extending of lines of credit, including the maximum amount which that may be loaned to any one member. No A loan may not be made to any member in an aggregate amount in excess of 10% of the credit union's total assets. Any loan made in violation of this subsection is subject to the remedies prescribed in section 465-A.

See title page for effective date.

CHAPTER 682

S.P. 801 - L.D. 2000

An Act to Amend the Laws Concerning Certification of Educational Personnel

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

Sec. 1. 20-A MRSA §13012, sub-§1, as amended by PL 1985, c. 287, §2 and 8, is further amended to read:

1. Definition. A provisional teacher certificate is the entry level certificate issued to an individual who has not taught previously in the State, except as provided in section 13013, subsection 2-A, paragraph B.

Sec. 2. 20-A MRSA §13013, sub-§1, as enacted by PL 1983, c. 845, §4, is amended to read:

1. Definition. A professional teacher certificate is a renewable certificate issued to an individual who has held a provisional certificate and has met the qualifications of this section, except as provided in subsection 2-A, paragraph B.

Sec. 3. 20-A MRSA §13013, sub-§2, as enacted by PL 1983, c. 845, §4, is repealed.

Sec. 4. 20-A MRSA §13013, sub-§2-A is enacted to read:

2-A. Qualifications. State board rules governing the qualifications for a professional teacher certificate must require that the certificate may only be issued to an applicant who, at a minimum, either:

A. Holds a provisional teacher certificate or has held a professional teacher certificate that has

lapsed within the last 5 years and has taught in a classroom for 2 academic years. In this case an applicant must receive a recommendation to the commissioner by an approved support system pursuant to section 13015; or

B. Is a teacher with 2 or more years of experience teaching under a valid certificate in another state and who has graduated from a preparation program approved by a national association of state directors of teacher education and certification or a national council for accreditation of teacher education.

Sec. 5. 20-A MRSA §13033, as amended by PL 1989, c. 700, Pt. A, §70, is repealed.

Sec. 6. Study of appeals process. The Commissioner of Education, in consultation with the State Board of Education and statewide labor organizations representing teachers, shall conduct a study of the appeals process available to persons whose application for certification or endorsement is denied or whose certification or endorsement is revoked or voided. The study must examine the delays encountered in scheduling an appeals hearing and the rendering of a final decision, the causes of those delays, the staffing patterns in the Department of Education and the workload caused by appeals. The commissioner shall report to the joint standing committee of the Legislature having jurisdiction over education matters by January 1, 1993 findings and recommendations on the need to expedite the hearing and decision-making process and the advisability of reinstating the practice of employing an educator review committee to advise the commissioner on appeals. The committee may introduce related legislation to the First Regular Session of the 116th Legislature.

Sec. 7. Review of out-of-field teaching. The State Board of Education shall review the status of out-of-field teaching restrictions and present a report to the joint standing committee of the Legislature having jurisdiction over education matters by January 1, 1993. The report may include: statistics on and trends in the number of waivers and transitional endorsements requested and granted for out-of-field teaching; the subjects, grades, length and reasons for which waivers were sought; an assessment of an expedited waiver process for out-of-field teaching to be tested by the Department of Education during 1992; an evaluation of the impact of the waiver and transitional endorsement processes on school administrative units; and a summary of the progress made in providing credit for alternative, local in-service professional development programs or other alternatives to on-campus university level courses to achieve a full endorsement in a new field. The report may be combined with any other report on waivers made by the Department of Education to the Legislature.

See title page for effective date.
