

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

of the Legislature having jurisdiction over marine resource matters. The council may request the State Auditor to conduct that audit. The council shall reimburse the State Auditor for costs incurred by the State Auditor to conduct that audit.

9. Annual report. The council shall present annually a report no later than February 1st to the joint standing committee of the Legislature having jurisdiction over marine resource matters. The report must describe the council's finances and activities in the previous calendar year.

See title page for effective date.

**CHAPTER 661**

**H.P. 1372 - L.D. 1880**

**An Act to Extend the Milk Handling Tax**

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

**Sec. 1. 36 MRSA §4773**, as enacted by PL 1995, c. 2, §5, is amended to read:

**§4773. Repeal**

This chapter is repealed on ~~August 1, 1996~~ November 1, 1997.

See title page for effective date.

**CHAPTER 662**

**S.P. 753 - L.D. 1866**

**An Act to Improve the Child Development Services System**

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

**Sec. 1. 20-A MRSA §7727, sub-§2**, as amended by PL 1993, c. 625, §3, is further amended to read:

**2. Plan.** The department shall submit the State's plan for meeting the requirements of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., to the Federal Government. The State's plan may not require services that exceed minimum federal requirements.

**Sec. 2. 20-A MRSA §7730**, as enacted by PL 1991, c. 843, §3, is amended to read:

**§7730. Regional site board of directors**

Each board of directors of a regional intermediate education unit or a private nonprofit corporation is responsible for governance of its activities, including the management and oversight of its general operations as established in section 7728. Membership must include representatives of the regional offices of the Department of Human Services and the Department of Mental Health and Mental Retardation, representatives of participating school administrative units, parents of infants and children with disabilities and other community members as determined appropriate. A regional site board member or a board member's employer may not, during the term for which the member serves on the board, derive any revenue from work performed for the Child Development Services System. A representative of a participating school administrative unit whose participation in the system is limited to work performed for the school administrative unit is exempt from the requirements of this section. Terms of membership and methods of appointment or election must be determined by board of directors bylaws, subject to approval of the department.

**Sec. 3. 20-A MRSA §7730-A** is enacted to read:

**§7730-A. Completion of term**

Notwithstanding section 7730, a board member serving on a regional site board and deriving revenue from work performed for the Child Development Services System on the effective date of this section may complete that board member's term of office.

**Sec. 4. 20-A MRSA §7731, sub-§2**, as enacted by PL 1991, c. 843, §3, is amended to read:

**2. Employees.** Employ qualified professional and other staff at the local site. The board of directors has the authority to hire, fire and supervise the staff of the regional site and to develop and adopt personnel policies for its employees; Professional therapists may be employed as site staff when the board and the state intermediate education unit find that:

A. Site staff therapists are needed to perform evaluations of children to ensure appropriate service plans;

B. Therapists serving children on a contractual basis are unable to provide required services within timelines mandated by the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq.; or

C. Site staff therapists are able to provide services comparable to those provided by contract therapists at an identifiable savings to the Child