

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

	1997-98	1998-99
LEGISLATURE		
Commission on Eating Disorders		
Personal Services	\$330	\$1,155
All Other	300	1,550
Provides funds for the per diem and expenses of legislative members and miscellaneous costs, including printing, of the Commission on Eating Disorders.		
LEGISLATURE TOTAL	\$630	\$2,705

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

Effective April 13, 1998.

CHAPTER 119

H.P. 1520 - L.D. 2142

Resolve, To Establish the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings

Sec. 1. Commission established. Resolved: That the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 17 members appointed as follows:

1. Two Legislators who are members of the Joint Standing Committee on Education and Cultural Affairs and who jointly chair the commission, one of whom must be a Senator appointed by the President of the Senate, and one of whom must be a member of the House of Representatives appointed by the Speaker of the House;
2. The Commissioner of Education, or the commissioner's designee;
3. The Commissioner of Corrections, or the commissioner's designee;

4. The Commissioner of Human Services, or the commissioner's designee;
 5. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, or the commissioner's designee;
 6. The Attorney General, or the Attorney General's designee;
 7. One member representing parents appointed jointly by the Maine Parents' Federation, Maine Advocacy Services and the Maine Alliance for the Mentally Ill;
 8. One member representing parents whose children attend a public school in the State, appointed by the President of the Senate;
 9. One member who is a student representing a peer mediation group in the State, appointed by the President of the Senate;
 10. Two members representing teachers who are public school teachers in the State, appointed by the Maine Education Association;
 11. One member representing educational technicians in the State, appointed by the Speaker of the House;
 12. One member representing school bus drivers in the State, appointed by the Speaker of the House;
 13. One member representing superintendents in the State, appointed by the President of the School Superintendents Association;
 14. One member representing school principals in the State, appointed by the President of the Maine Principals Association; and
 15. One member representing school boards in the State, appointed by the Maine School Boards Association; and be it further
- Sec. 3. Appointments; meetings. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the Chair of the Legislative Council shall call and convene the first meeting of the commission no later than August 15, 1998; and be it further
- Sec. 4. Duties. Resolved:** That the commission shall study the establishment and the effectiveness of districtwide school disciplinary policies and practices in the State and develop a plan to address the growing concern of violence in the public schools. In

examining these issues, the commission may conduct public hearings to receive testimony on the incidence of disruptive student conduct and violent behavior in the public schools throughout the State. The commission review must include, but is not limited to, the following components:

1. The collection and analysis of available data related to the incidence of disruptive student conduct and violent behavior in the public schools throughout the State;
2. Effective districtwide school disciplinary policies, procedures and practices that seek to prevent or respond to disruptive or violent student conduct in the public schools;
3. The establishment of suggested student conduct and responsibility standards; and
4. The establishment of a system for notifying staff regarding a student with a history of violent behavior; and be it further

Sec. 5. Staff assistance. Resolved: That the commission shall request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 6. Meetings. Resolved: That the commission may meet up to 4 times; and be it further

Sec. 7. Reimbursement. Resolved: That the members of the commission who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2 for each day's attendance at meetings of the commission. All members of the commission are entitled to reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report together with any accompanying legislation to the Joint Standing Committee on Education and Cultural Affairs of the 118th Legislature by October 30, 1998; and be it further

Sec. 9. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1998-99

LEGISLATURE

Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings

Personal Services	\$440
All Other	4,900

Provides funds for the per diem of legislative members, expenses of members and public hearing and miscellaneous costs of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings.

LEGISLATURE	
TOTAL	\$5,340

See title page for effective date.

CHAPTER 120

H.P. 1573 - L.D. 2207

Resolve, Establishing the Task Force to Study the Need for an Ombudsman for the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services

Sec. 1. Task force established. Resolved: That there is established the Task Force to Study the Need for an Ombudsman for the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services, referred to in this resolve as the "task force"; and be it further

Sec. 2. Membership. Resolved: That the task force consists of 13 members as follows:

1. The Commissioner of Human Services or the commissioner's designee;
2. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services or the commissioner's designee;
3. The following members appointed by the President of the Senate: