

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

Whereas, bomb threats occurred at schools in 14 of the State's 16 counties during the 1999-2000 school year; and

Whereas, school bomb threats represent a significant danger to the health and safety of the students and staffs of schools throughout the State; and

Whereas, significant public resources are expended in responding to school bomb threats, particularly by schools and by municipalities; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §263 is enacted to read:

§263. Response to school bomb threats

1. Prototype guidelines, policies and protocols. The commissioner, in consultation with state and local emergency services officials and representatives of school personnel and school board members, shall develop prototypical guidelines, policies and protocols for school administrative units to present to their communities when those communities are considering implementing local policies that concern prevention of and response to school bomb threats. The prototypical guidelines, policies and protocols developed by the commissioner must be made available to all schools in the State no later than December 31, 2001.

2. Reporting of school bomb threats. Beginning with the 2001-2002 school year, all public schools and private schools enrolling more than 60% of their students at public expense in the State must report each bomb threat incident to the commissioner. The initial report must be made to the office of the superintendent within the school administrative unit or to the headmaster of the private school. The office of the superintendent or headmaster receiving a report of a bomb threat at a school must report that threat to the commissioner within 2 business days of the occurrence of the bomb threat. The commissioner shall report annually on the nature, frequency and impacts of school bomb threats in the State's schools to the joint standing committee of the Legislature having jurisdiction over education matters.

Sec. 2. 20-A MRSA §1001, sub-§§17 and 18 are enacted to read:

17. School bomb threat response policies. Beginning with the 2002-2003 school year, each

school board in the State must have adopted a school bomb threat policy that is consistent with the prototypical policies developed by the commissioner under section 263.

18. Bomb threat information in student handbooks. Beginning with the 2002-2003 school year, each school board shall include in its student handbook a section that addresses in detail the school's bomb threat policies and protocols. The section of the handbook must contain an explanation of the portions of the policies and protocols relevant to students and their families and explain to the students the educational and legal consequences of making a bomb threat to a school.

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

Effective May 2, 2001.

CHAPTER 68

H.P. 61 - L.D. 70

An Act to Designate the Second Saturday in September as Maine Youth Field and Stream Day

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

Sec. 1. 1 MRSA §140 is enacted to read:

§140. Maine Youth Field and Stream Day

The 2nd Saturday in September of each year is designated as Maine Youth Field and Stream Day. The Governor shall issue annually a proclamation inviting and urging the youth of this State to observe this day by participating in outdoor activities.

See title page for effective date.

CHAPTER 69

H.P. 732 - L.D. 952

An Act to Correct Errors in the Laws Regarding Court Unification

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

Whereas, in Public Law 1999, chapter 731, the 119th Legislature enacted legislation concerning court unification; and

Whereas, that legislation inadvertently eliminated the jurisdiction of a single Justice of the Supreme Judicial Court to sit on the Superior Court; and

Whereas, it is essential to correct this error immediately; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 4 MRSA §2-A, as amended by PL 1999, c. 547, Pt. B, §1 and affected by §80, is further amended to read:

§2-A. Justice of the Supreme Judicial Court to sit in Superior Court, District Court

The Chief Justice of the Supreme Judicial Court may assign a Justice or Active Retired Justice of the Supreme Judicial Court to sit in the Superior Court or the District Court, and when so directed the justice has authority and jurisdiction in the Superior Court or the District Court as if the justice were a regular justice or judge of that court. When assigned under this section, the justice may hear all matters and issue all orders, notices, decrees and judgments that any Justice of the Superior Court or Judge of the District Court is authorized to hear and issue.

The order of the Chief Justice of the Supreme Judicial Court directing a Justice or an Active Retired Justice of the Supreme Judicial Court to sit in the Superior Court or the District Court must be filed with the Executive Clerk of the Supreme Judicial Court, but need not be docketed or otherwise recorded in any case heard by that justice.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved, except as otherwise indicated.

Effective May 2, 2001.

CHAPTER 70

S.P. 300 - L.D. 1011

An Act to Modify the Maine Student Incentive Scholarship Program

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

Whereas, current law regarding the requirements of the student incentive scholarship grants awarded through the Maine student incentive scholarship program does not adequately provide postsecondary education institutions in the State with the level of flexibility necessary to provide additional financial assistance to students with the greatest financial need when additional funds become available; and

Whereas, the packaging of student financial assistance for eligible Maine college students who will matriculate or will continue enrollment in a postsecondary educational institution in the fall of 2001 is already underway and it is necessary to provide postsecondary education institutions in the State with this flexibility as soon as possible to provide additional financial assistance to students for the upcoming 2001-02 academic year; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1013, sub-§1, as repealed and replaced by PL 1989, c. 698, §10, is amended to read:

1. Maine State Grant Program. ~~The student incentive scholarship program~~ Maine State Grant Program, pursuant to Title 20-A, chapter 419-A;

Sec. 2. 20-A MRSA c. 419-A is amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 419-A

MAINE STATE GRANT PROGRAM

Sec. 3. 20-A MRSA §11611, sub-§4, as enacted by PL 1989, c. 559, §10, is amended to read:

4. Expected family contribution. "Expected family contribution" means the amount which the family of a student may be reasonably expected to contribute toward ~~post-secondary~~ postsecondary education for the academic year for which the student is seeking a ~~student incentive scholarship~~ Maine State Grant.