

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

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

Penmor Lithographers
Lewiston, Maine
2003

CHAPTER 445**H.P. 714 - L.D. 957****An Act To Retain Teachers Holding Targeted Need Area Certificates, Conditional Certificates or Transitional Endorsements**

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

Sec. 1. 20-A MRSA §13011, sub-§9, as enacted by PL 1999, c. 673, §1, is amended to read:

9. Targeted need area certificate; exception. The state board shall adopt rules that establish criteria under which a targeted need area certificate may be issued. This certificate may be issued only to a person holding a bachelor's degree and teaching in a teacher shortage area. The teacher shortage area is determined by the commissioner. Rules adopted pursuant to this subsection are major substantive rules in accordance with Title 5, chapter 375, subchapter ~~H-A~~ 2-A. Any amendment to the rules adopted pursuant to this subsection that revises the qualifications for a targeted need area certificate does not apply to a person who was issued a targeted need area certificate prior to or during the school year preceding the adoption of revisions to the original rules as long as the holder of the targeted need area certificate annually completes the required course work and testing as determined by the department for the school year preceding the adoption of revised rules.

Sec. 2. 20-A MRSA §13011, sub-§10 is enacted to read:

10. Conditional certificate; transitional endorsement; exception. Any amendment to the rules adopted pursuant to this chapter that revises the qualifications for a conditional certificate or transitional endorsement does not apply to a person who was issued a conditional certificate or transitional endorsement prior to or during the school year preceding the adoption of revisions to the rules as long as the holder of the conditional certificate or transitional endorsement annually completes the required course work and testing as determined by the department for the school year preceding the adoption of revised rules.

Sec. 3. Targeted need area certificate; exceptions for prelingually deaf applicants. Until the Department of Education adopts revised rules under the Maine Revised Statutes, Title 20-A, section 13011, subsection 9, the Department of Education may issue a 2nd targeted need area certificate to a prelingually deaf applicant provided that the applicant can show evidence of having

attempted the Pre-professional Skills Test during the first year of holding the targeted need area certificate. A prelingually deaf applicant may also be issued a 3rd targeted need area certificate provided that the applicant can show evidence of having attempted the Pre-professional Skills Test during the 2nd year of holding the targeted need area certificate.

It is the intent of the Legislature that, in the Department of Education's proceeding with the filing of the revised rule for the remaining portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, the department shall consider the concerns raised by the Superintendent of the Governor Baxter School for the Deaf and advocates for teachers of the deaf who are prelingually deaf regarding the need for accommodations for prelingually deaf applicants for targeted need area certificates.

See title page for effective date.

CHAPTER 446**S.P. 248 - L.D. 710****An Act To Amend the Membership of the Plumbers' Examining Board**

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

Sec. 1. 32 MRSA §3401, as amended by PL 2003, c. 107, §1, is repealed and the following enacted in its place:

§3401. Membership; vacancies; removal; compensation

The Plumbers' Examining Board, as established by Title 5, section 12004-A, subsection 32, consists of 5 members, who are appointed by the Governor as follows.

1. Representative of public. One of the members of the board must be a representative of the public.

2. Master plumbers. Two of the members of the board must be master plumbers as defined in section 3301, and one of those 2 members must be a member of a bona fide labor organization.

3. Journeyman plumbers. Two of the members of the board must be journeyman plumbers as defined in section 3301, and both of those members must have been engaged in the business of plumbing for at least 2 years. This subsection is repealed June 19, 2005.