

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

the Commissioner of Environmental Protection may seek and accept outside funds to advance the work in developing a recommended plan pursuant to this resolve.

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

Effective June 18, 2003.

CHAPTER 80

S.P. 330 - L.D. 989

Resolve, To Establish a Task Force Concerning Speech-language Pathologists

Sec. 1. Task force established. Resolved:

That the Task Force to Address the Shortage of Speech-language Pathologists, referred to in this resolve as "the task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of the following 13 members:

1. The Commissioner of Education or the commissioner's designee;
2. The Chancellor of the University of Maine System or the chancellor's designee;
3. One member representing the State Board of Education appointed by the President of the Senate upon recommendation of the Chair of the State Board of Education;
4. Four members representing the Maine Speech-Language-Hearing Association, 3 of whom are school-based, appointed by the Speaker of the House upon recommendation of the President of the Maine Speech-Language Hearing Association;
5. One member representing the Maine School Superintendents Association appointed by the President of the Senate upon recommendation of the President of the Maine School Superintendents Association;
6. One member representing the Maine School Boards Association appointed by the Speaker of the House upon recommendation of the President of the Maine School Boards Association;
7. One member representing the Maine Principals' Association appointed by the President of the Senate upon recommendation of the President of the Maine Principals' Association;

8. One member representing the Maine Association of Directors of Special Education appointed by the Speaker of the House upon recommendation of the President of the Maine Association of Directors of Special Education;

9. One member representing the University of Maine, Department of Communication Sciences and Disorders appointed by the President of the Senate upon recommendation of the Chair of the University of Maine, Department of Communication Sciences and Disorders; and

10. One parent of a student receiving speech pathology services appointed by the Speaker of the House; and be it further

Sec. 3. Chair. Resolved: That the chair is selected by a vote of the task force membership at its first meeting; and be it further

Sec. 4. Appointments; convening of task force. 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 once all appointments have been completed. Within 15 days after appointment of all members, the executive director shall call and convene the first meeting of the task force; and be it further

Sec. 5. Duties. Resolved: That the task force shall provide leadership and direction for collaborative efforts among the Department of Education, the University of Maine System and the State Board of Education to increase the number of speech-language pathologists who provide services to Maine children by:

1. Establishing a plan and schedule for the task force's work;
2. Meeting regularly to gather and review information and data on the conditions affecting recruitment and retention of speech-language pathologists in Maine schools and develop recommendations for recruitment and retention of speech-language pathologists;
3. Developing a plan to support and enhance the capacity of graduate training programs at institutions that prepare speech-language pathologists and ensure adequate opportunities for professional growth and development through the University of Maine System and other public and private organizations;
4. Examining trends related to the existing vacancy rates in Maine schools of speech-language pathologists, trends in use of Medicaid funding to enhance speech-language pathology services and demographics of currently employed school-based

speech-language pathologists to identify current capacity and anticipated need by 2010;

5. Reviewing current licensure requirements of speech-language pathologists and making any recommendations for revisions to such requirements in order to ensure quality of services and to increase the number of individuals qualified for licensure as speech-language pathologists; and

6. Examining the potential for assignment of certified school personnel who can provide services while being appropriately supervised by licensed speech-language pathologists; and be it further

Sec. 6. Advisory capacity. Resolved: That the task force shall serve in an advisory capacity to the Legislature and the agencies involved with the requirements, licensure and preparation of speech-language pathologists; and be it further

Sec. 7. Recommendation. Resolved: That the task force shall recommend to the Legislature, the State Board of Education and the Commissioner of Education a plan to ensure access to educational training opportunities for speech-language pathologists in postsecondary institutions; and be it further

Sec. 8. Staff assistance. Resolved: That the Department of Education shall provide necessary staffing services to the task force; and be it further

Sec. 9. Compensation. Resolved: That the public members of the task force not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 for their attendance at authorized meetings of the task force; and be it further

Sec. 10. Report. Resolved: That the task force shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 121st Legislature, to the Commissioner of Education and to the State Board of Education by December 3, 2003. Following review of the report, the Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 121st Legislature; and be it further

Sec. 11. Task force budget. Resolved: That expenses incurred by the task force in completing its work must be absorbed by the respective agencies and entities represented on the task force.

See title page for effective date.

CHAPTER 81

S.P. 182 - L.D. 542

Resolve, To Reduce the State Valuation for the Town of Hermon

Sec. 1. State valuation for Town of Hermon. Resolved: That, notwithstanding the filing deadline set forth in the Maine Revised Statutes, Title 36, section 208-A, the Town of Hermon may request a reduction in its state valuation under Title 36, section 208-A for the year 2003 based on the reduction in value of the H. C. Price Company in the town.

Sec. 2. General purpose aid for local schools; Hermon. Resolved: That, notwithstanding the Maine Revised Statutes, Title 36, section 208-A, if the State Tax Assessor notifies the Commissioner of Education of an adjustment to the state valuation of the Town of Hermon pursuant to section 1, the Commissioner of Education shall adjust the payments to the Town of Hermon for general purpose aid for local schools as provided in this section. If any savings occurs in the fiscal year 2003-04 General Purpose Aid for Local Schools account, the appropriate amount of those savings must be applied to increase the Hermon school administrative unit's general purpose aid for local schools for 2003-04. If insufficient savings occur in the fiscal year 2003-04 General Purpose Aid for Local Schools account, the appropriate increase in the Hermon school administrative unit's general purpose aid for local schools for 2003-04 must be applied as an audit adjustment in 2004-05 general purpose aid for local schools.

See title page for effective date.

CHAPTER 82

H.P. 908 - L.D. 1234

Resolve, To Protect High and Moderate Value Waterfowl and Wading Bird Habitats

Sec. 1. Identification of high and moderate value waterfowl and wading bird habitats. Resolved: That the Department of Inland Fisheries and Wildlife shall define, identify and map all high and moderate value waterfowl and wading bird habitats, including nesting and feeding areas, through rulemaking. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. Implementation of the identification and mapping is subject to General Fund appropriations to the Department of Inland Fisheries and Wildlife specifically for this purpose; and be it further