

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

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Penmor Lithographers
Lewiston, Maine
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as a payment of last resort after the otherwise valid obligations of insurers or other 3rd parties to provide or pay for these services have been exhausted.

8. College transition courses. College transition courses are reimbursed at a rate of 75% of the cost of required instructional salaries and fringe benefits for those courses and 50% of the cost of consumable instructional supplies and textbooks used in those courses.

9. Adult workforce training and retraining courses. Adult workforce training and retraining courses are reimbursed at the rate of 75% of the costs of required instructional salaries and fringe benefits for those courses and 50% of the cost of instructional supplies and textbooks used in those courses.

Sec. 7. 20-A MRSA §8608, as amended by PL 1991, c. 518, §40, is repealed.

Sec. 8. 20-A MRSA §8609, as amended by PL 1991, c. 518, §41, is further amended to read:

§8609. Fees for adult education

Fees for adult education are as follows.

1. Registration fee. A unit, region or center shall establish a registration fee schedule for adult education courses and determine the use of those registration fees.

2. Laboratory and materials fees. A unit, region or center may charge a person attending an adult education course a fee to cover the cost of laboratory supplies and materials used in such a course.

Sec. 9. 20-A MRSA §8611, as amended by PL 1991, c. 518, §43, is further amended to read:

§8611. Transportation

A unit, region or center may provide transportation for adults to and from adult education courses.

Sec. 10. 20-A MRSA §8612 is enacted to read:

§8612. Other supports

A unit, region or center that provides adult education shall ensure that adult education students are provided, when applicable, information regarding and referral to other state departments and agencies that provide support to adult education students, including, but not limited to, the Department of Health and Human Services and the Department of Labor.

Nothing in this section relieves a school administrative unit of its legal responsibility for the education of students with disabilities.

See title page for effective date.

CHAPTER 132

H.P. 1051 - L.D. 1501

An Act To Set Standards for Interviewing Children Who Are Subjects of a Child Protective Intervention

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

Sec. 1. 22 MRSA §4021, sub-§3, ¶C, as enacted by PL 1981, c. 369, §10, is amended to read:

C. School Upon the request of a department employee, school officials shall permit the department to meet with and interview the child during school hours, if the interview is necessary to carry out the department's duties under this chapter when the child is present at the school.

(1) School officials may require that the department employee requesting to interview the child provide a written certification that in the department's judgment the interview is necessary to carry out the department's duties under this chapter.

(2) The department caseworker shall discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher or guidance counselor or the school's nurse, social worker or principal, as the caseworker determines is necessary for the provision of any needed emotional support to the child prior to and following the interview.

(3) In order for the department to be able to conduct interviews in a manner consistent with good forensic practice, except as provided in subparagraph (1), school officials may not place any conditions on the department's ability to conduct the interview. Without limiting the generality of this subparagraph, school officials are specifically prohibited from:

(a) Requiring that certain persons be present during the interview;

(b) Prohibiting certain persons from being present during the interview; and

(c) Requiring notice to or consent from a parent or guardian.

(4) School officials shall provide an appropriate, quiet and private place for the interview to occur.

(5) That the department intends to interview the child is confidential information and may not be disclosed to any person except those

school officials, including an attorney for the school, who need the information to comply with the provisions of this paragraph.

(6) School personnel who assist the department in making the child available for the interview or who otherwise comply with this paragraph are "participating in a related child protection investigation or proceeding" for purposes of section 4014.

Violation of this paragraph subjects any person involved in the violation, including individual school personnel, to the penalty provided in section 4009. This section does not apply to out-of-home abuse and neglect allegations as covered under section 4088.

See title page for effective date.

CHAPTER 133 H.P. 911 - L.D. 1293

An Act To Enhance Protection against Rabies in Wolf Hybrids

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

Sec. 1. 22 MRSA §1313, as amended by PL 1999, c. 731, Pt. Q, §1, is further amended to read:

§1313. Procedures for the transportation, quarantine, euthanasia and testing of animals suspected of having rabies

1. Establishment of procedures. The commissioner, in consultation with the Commissioner of Agriculture, Food and Rural Resources and the Commissioner of Inland Fisheries and Wildlife, shall adopt rules, in accordance with the Maine Administrative Procedure Act, establishing procedures for responding to a report of an animal suspected of having rabies. The procedures must include provisions for the transportation, quarantine, euthanasia and testing of an animal suspected of having rabies and, when that animal has bitten a person, provisions for the notification of the animal control officer in the locality where the bite occurred. The procedures may differ based on the perceived public health threat determined in part by consideration of the following factors:

A. Whether the animal is a domesticated animal for which a known effective vaccine exists and, if so, ~~can~~ whether the animal's vaccination status can be verified; ~~and~~

B. Whether the animal has bitten a person or exhibited other aggressive behavior; and

C. Whether the animal is a wolf hybrid that has bitten or may have otherwise exposed a person or a domesticated animal to rabies.

2. Role of animal control officer; game warden. An animal control officer appointed in accordance with Title 7, section 3947; receiving a report of an animal suspected of having rabies shall ensure that the procedures established pursuant to this section and ~~section~~ sections 1313-A and 1313-B are carried out. If the animal is an undomesticated animal, other than a wolf hybrid, a game warden shall assist the animal control officer.

3. Costs associated with transportation, quarantine, testing and euthanasia. The Department of Inland Fisheries and Wildlife shall provide for or pay all necessary costs for transportation and euthanasia of an undomesticated animal suspected of having rabies. The owner of a domesticated animal or a wolf hybrid suspected of having rabies shall pay all costs for transportation, quarantine, euthanasia and testing of the animal. If a domesticated animal or a wolf hybrid is a stray or the owner is unknown, the municipality in which the animal was apprehended is responsible for transportation, quarantine, euthanasia and testing costs. Cost of testing animals judged by the department to have created a public health risk of rabies must be borne by the department, through its General Fund appropriations.

Sec. 2. 22 MRSA §1313-A, first ¶, as amended by PL 1997, c. 704, §11, is further amended to read:

If an undomesticated animal ~~or a wolf hybrid~~ suspected of having rabies bites or ~~exposes~~ exposed to rabies a person or a domestic animal, an animal control officer, a local health officer or a game warden ~~must~~ shall immediately ~~either~~ remove the undomesticated animal ~~or wolf hybrid~~ or cause the undomesticated animal ~~or wolf hybrid~~ to be removed and euthanized for testing. If a wolf hybrid suspected of having rabies bites or may have otherwise exposed to rabies a person or a domestic animal, an animal control officer, a local health officer or a law enforcement officer shall immediately cause the animal to be euthanized for testing. When in the judgment of the animal control officer, local health officer, game warden or law enforcement officer the animal poses an immediate threat to a person or domestic animal, the animal control officer, local health officer, game warden or law enforcement officer may immediately kill or order killed that animal without destroying the head. The Department of Inland Fisheries and Wildlife shall arrange for the transportation of the head to the State Health and Environmental Testing Laboratory, except that the animal control officer shall make the arrangements if the animal is a wolf hybrid.

Sec. 3. 22 MRSA §1313-B, sub-§2, as enacted by PL 1997, c. 704, §12, is amended to read: