

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
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Penmor Lithographers
Lewiston, Maine
2007

In a proceeding regarding immunity from liability, there is a rebuttable presumption of good faith.

See title page for effective date.

CHAPTER 141
S.P. 172 - L.D. 560

**An Act To Integrate the
Approval of Early Childhood
Education Plans for Children 4
Years of Age into Basic School
Approval for Elementary
Schools**

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

Sec. 1. 20-A MRSA §1, sub-§15, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

15. Kindergarten. "Kindergarten" means a one-year or 2-year childhood education program, for children at least 5 years of age, immediately prior to grade one.

Sec. 2. 20-A MRSA §1, sub-§23-A is enacted to read:

23-A. Public preschool program. "Public preschool program" means a program offered by a public school that provides instruction to children who are 4 years of age.

Sec. 3. 20-A MRSA §4252, sub-§4, as amended by PL 1989, c. 548, §3, is further amended to read:

4. Programs for children 4 years of age and 5 years of age. Encourage the development of public preschool programs or 2-year kindergartens in conformity with section 5201, subsection 2, paragraph C and other appropriate programs to address the needs of 4-year-old children 4 years of age and 5 years of age;

Sec. 4. 20-A MRSA §4253, as amended by PL 1997, c. 534, §1, is repealed.

Sec. 5. 20-A MRSA §4255, as enacted by PL 2005, c. 368, §1, is repealed.

Sec. 6. 20-A MRSA §4501, as amended by PL 1985, c. 797, §31, is further amended to read:

§4501. Duty of school units

In accordance with the policy expressed in section 2, every school administrative unit shall raise ~~and support~~ annually sufficient funds to maintain or support elementary and secondary schools to provide free education for its resident students at all grade levels. These schools shall meet the requirements of basic school approval. School units that choose to offer a

public preschool program must meet the requirements of basic school approval.

Sec. 7. 20-A MRSA §4502, sub-§2, as amended by PL 1991, c. 824, Pt. A, §32, is further amended to read:

2. Curriculum standards. Schools shall also meet all curriculum standards established in chapter 207-A. Schools that offer public preschool programs shall demonstrate curriculum practice for those programs that implements the Maine early childhood learning guidelines and is appropriate for the age and development level of the children.

Sec. 8. 20-A MRSA §4502, sub-§5, ¶N, as amended by PL 2001, c. 452, §9, is further amended to read:

N. Preparation of a written local policy and implementation of training for all unlicensed personnel who administer medication in accordance with the requirements under section 254, subsection 5; ~~and~~

Sec. 9. 20-A MRSA §4502, sub-§5, ¶O, as enacted by PL 2001, c. 452, §10, is amended to read:

O. Preparation of a written local policy and implementation of training for all guidance counselors and school personnel who administer reintegration planning pursuant to section 254, subsection 12, who participate in a reintegration team and who have access to confidential criminal justice information regarding juveniles pursuant to section 1055, subsection 12; ~~and~~

Sec. 10. 20-A MRSA §4502, sub-§5, ¶P is enacted to read:

P. Provision of family outreach and support programs designed to improve parent-school relations and parenting skills consistent with section 4252, subsection 8.

Sec. 11. 20-A MRSA §4502, sub-§9 is enacted to read:

9. Coordinated early childhood programs for children 4 years of age. Any school administrative unit that wishes to develop an early childhood program for children 4 years of age must submit a proposal for approval to the department. Evaluation of the proposal must include consideration of at least the following factors:

A. Demonstrated coordination with other early childhood programs in the community to maximize resources;

B. Consideration of the extended child care needs of working parents; and

C. Provision of public notice regarding the proposal to the community being served, including the extent to which public notice has been dis-

seminated broadly to other early childhood programs in the community.

Sec. 12. 20-A MRSA §5201, sub-§2, ¶C, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

C. A person who will be at least 4 years ~~old~~ of age on October 15th of the school year may enroll in a ~~2-year childhood education~~ public preschool program prior to ~~grade one kindergarten~~ if it is offered.

Sec. 13. 20-A MRSA §15672, sub-§6, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

6. Elementary grades. "Elementary grades" means ~~kindergarten public preschool programs to grade 8 and includes children enrolled in early kindergarten programs and 4 year old children enrolled in a 2-year childhood education program prior to grade one.~~

Sec. 14. 20-A MRSA §15672, sub-§7, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

7. Elementary school level. "Elementary school level" means the grades from ~~kindergarten public preschool programs to grade 5 and includes early kindergarten programs and 2-year childhood education programs enrolling 4-year-old children prior to grade one.~~

Sec. 15. 20-A MRSA §15675, sub-§3, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

3. Public preschool program to grade 2 students. If a school administrative unit is eligible to receive targeted funds for its ~~kindergarten public preschool~~ public preschool to grade 2 program under section 15681, then for each ~~kindergarten public preschool program~~ public preschool program to grade 2 student, the unit receives an additional weight of .10.

A. For purposes of the additional weight under this subsection, the count of ~~kindergarten public preschool program~~ public preschool program to grade 2 students is calculated based on the number of resident pupils in the most recent calendar year.

B. Only school administrative units with a ~~kindergarten public preschool~~ public preschool program approved by the department are eligible for funds pursuant to this subsection or other comparable index.

C. Funds provided pursuant to this subsection may be expended only on behalf of ~~kindergarten~~ public preschool program to grade 2 students.

Sec. 16. 20-A MRSA §15681, sub-§1, ¶C, as amended by PL 2005, c. 12, Pt. D, §2, is further amended to read:

C. To receive targeted ~~kindergarten public preschool program~~ public preschool program to grade 2 funds calculated pursuant to subsection 4, the school administrative unit must be in compliance with any applicable reporting requirements for local early childhood programs. Any program must be in compliance with chapter 203, subchapter 2.

Sec. 17. 20-A MRSA §15681, sub-§4, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

4. Public preschool program to grade 2 funds. For targeted ~~kindergarten public preschool program~~ public preschool program to grade 2 funds, the commissioner shall calculate the amount that may be made available to eligible school administrative units as follows.

A. For fiscal year 2005-06, the amount equals the product of the per-pupil guarantee calculated pursuant to section 15676 multiplied by the additional weight calculated pursuant to section 15675, subsection 3.

B. For fiscal year 2006-07 and each subsequent year, the commissioner shall recalculate the amount by using the amount calculated under paragraph A as a base and appropriate trends in the Consumer Price Index or other comparable index.

See title page for effective date.

CHAPTER 142

H.P. 372 - L.D. 488

An Act To Amend the Child Support Laws

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

Sec. 1. 19-A MRSA §1653, sub-§8, ¶A, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

A. Either parent of a minor child shall contribute reasonable and just sums as child support payable weekly, biweekly, monthly or quarterly. In an action filed under section 1654, the court may require the child's nonprimary care provider to pay past support. Availability of public welfare benefits to the family may not affect the decision of the court as to the responsibility of a parent to provide child support. The court shall inquire of the parties concerning the existence of a child support order entered pursuant to chapter 65, subchapter ~~H~~ 2, article 3. If an order exists, the court shall consider its terms in establishing a child support obligation. A determination or modification of child support under this section and a de-