

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

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

Effective March 27, 2008.

CHAPTER 170

S.P. 758 - L.D. 1964

**Resolve, To Require
Rulemaking Concerning
Landfill Gas and Odor
Management**

Sec. 1. Landfill gas and odor management rules. Resolved: That the Department of Environmental Protection, Board of Environmental Protection shall adopt rules concerning landfill gas and odor management that incorporate quantitative standards that can be used to measure compliance. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. By January 15, 2009, the Department of Environmental Protection shall submit a report on the status of the rules to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

See title page for effective date.

CHAPTER 171

H.P. 1411 - L.D. 2027

**Resolve, To Examine the
Information, Training and
Support Services Provided to
Parents of Children with
Disabilities**

Sec. 1. Work group review of resources available to families of children with disabilities. Resolved: That the Maine Developmental Disabilities Council, established by the Maine Revised Statutes, Title 5, section 12004-I, subsection 66 and referred to in this resolve as "the council," shall convene a work group to examine the information, training and support services that are available to the families of children with disabilities regarding special education programs and special education services. The work group shall:

1. Review existing information, training and support services available to families of children with disabilities, including the extent to which ombudsman services would be beneficial to the parents of children with disabilities;

2. Identify gaps and other limitations in existing resources that limit the capacity to address families' needs for information, training and support services to effectively participate in programming for their children;

3. Identify potential additional resources needed to address gaps and limitations in existing resources;

4. Consider input gathered from the families of children with disabilities across the State; and

5. Develop recommendations for changes in current law, rules or policies; and be it further

Sec. 2. Work group membership. Resolved: That the work group convened pursuant to section 1 consists of members appointed by the executive committee of the council to represent the following organizations:

1. Maine Parent Federation, Inc.;
2. Maine Administrators of Services for Children with Disabilities;
3. Maine Education Association;
4. Maine Principals' Association;
5. Disability Rights Center;
6. KIDS Legal, a statewide project of Pine Tree Legal Assistance;
7. Maine Developmental Disabilities Council;
8. Learning Disabilities Association of Maine;
9. Autism Society of Maine;
10. The Maine Transition Network that implements the transition service coordination as set forth in the Maine Revised Statutes, Title 20-A, chapter 308;
11. Maine Children's Alliance;
12. Department of Education; and
13. Other organizations as determined by the executive committee of the council; and be it further

Sec. 3. Convening of work group; staffing assistance; funding. Resolved: That the council shall provide the necessary resources to organize and support the work of the work group convened pursuant to section 1, including convening and providing any necessary staffing services for the work group; and be it further

Sec. 4. Report. Resolved: That the council shall submit a report that includes a summary of input gathered from families across the State regarding the information, training and support services available to them and the findings of the work group convened pursuant to section 1, recommendations and any suggested legislation to the joint standing committee of the Legislature having jurisdiction over education matters no later than January 31, 2009. Upon receipt of

the report required by this section, the joint standing committee of the Legislature having jurisdiction over education matters shall review the findings and recommendations of the report and may introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.

See title page for effective date.

CHAPTER 172

H.P. 1494 - L.D. 2108

Resolve, To Adopt Respectful Language in Programs Affecting Developmental Services

Sec. 1. Resolved: That the Department of Health and Human Services shall change the name of its programs serving people with mental retardation or autism to refer to developmental services programs. The department shall take steps to amend its rules, policies, guidelines, publications and forms to reflect this more respectful language as soon as practicable; and be it further

Sec. 2. Resolved: That, in implementing the name changes required in section 1, the department shall consult with and be guided by the report and recommendations of the working group convened by the Maine Developmental Disabilities Council in accordance with Resolve 2007, chapter 62; and be it further

Sec. 3. Resolved: That, in order to further implement the adoption of respectful language described in section 1 in state law affecting developmental services, the department may submit legislation for introduction to the First Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 173

H.P. 1548 - L.D. 2174

Resolve, Regarding Curriculum Requirements and Standards for Awarding a High School Diploma

Sec. 1. Stakeholder group review of curriculum requirements and standards for awarding a high school diploma. Resolved: That the Commissioner of Education shall convene a stakeholder group, referred to in this resolve as "the stakeholder group," to examine the state laws and rules pertaining to the curriculum requirements and stan-

dards for awarding a high school diploma; and be it further

Sec. 2. Stakeholder group membership. Resolved: That the stakeholder group consists of 17 members appointed by the Commissioner of Education:

1. Two members who are classroom teachers in public secondary schools, recommended by the President of the Maine Education Association;

2. Two members who are career and technical education directors of public secondary schools, recommended by the Executive Director of the Maine Association of Career and Technical Education;

3. Two members who are members of school administrative unit school boards, recommended by the Executive Director of the Maine School Board Association;

4. Two members who are principals of public secondary schools or staff of the Maine Principals' Association, recommended by the Executive Director of the Maine Principals' Association;

5. One member who is a superintendent of a school administrative unit, recommended by the Executive Director of the Maine School Superintendents Association;

6. One member who is a special education director of a school administrative unit, recommended by the Executive Director of the Maine Administrators of Services for Children with Disabilities;

7. One member who is a guidance counselor of a public secondary school, recommended by the President of the Maine School Counselor Association;

8. Two members who are business and industry leaders in the State, recommended by the Maine State Chamber of Commerce;

9. One member who is a faculty or staff member at one of the campuses of the Maine Community College System, recommended by the President of the Maine Community College System;

10. One member who is a faculty or staff member at one of the campuses of the University of Maine System, recommended by the Chancellor of the University of Maine System;

11. One member who represents the State Board of Education, recommended by the Chair of the State Board of Education; and

12. One member who represents the Department of Education, recommended by the Commissioner of Education; and be it further

Sec. 3. Chair. Resolved: That the stakeholder group shall appoint a chair from among its members; and be it further