

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

partment of Health and Human Services, Maine Center for Disease Control and Prevention shall attempt to achieve universal blood lead level screening in high-risk areas:

1. For children 12 to 24 months of age; and
2. For children 25 to 72 months of age who have not previously been tested or who have had a change in risk of exposure to lead due to moving to a dwelling built prior to 1950 or to living in a dwelling built prior to 1950 that has recently undergone renovations or remodeling; and be it further

Sec. 3. Annual reporting. Resolved: That the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters, beginning January 2009. The report must include identification of high-risk areas, progress made in achieving universal blood lead level screening in designated high-risk areas, lessons learned in attempting to achieve universal blood lead level screening and any further recommendations for screening; and be it further

Sec. 4. Department of Education and Department of Health and Human Services; report. Resolved: That by January 15, 2009 the Department of Education and Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the feasibility of including blood lead level assessment information in the school records of enrolled children. The departments shall consider using the record system in use for immunization information under the Maine Revised Statutes, Title 20-A, section 6358.

See title page for effective date.

CHAPTER 187

H.P. 1501 - L.D. 2121

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a Major Substantive Rule of the Department of Education and the State Board of Education

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a provisionally adopted major substantive rule of the Department of Education and the State Board of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. Financial certificate. The portion of Part II of the rule designated as Section 5.1 Certificate 038: Financial Services Manager is not authorized for final adoption; and

2. Early Childhood Teacher. The portion of Part II of the rule designated as Section 1.16 Endorsement 081: Early Childhood Teacher is amended to establish eligibility for that endorsement for any person who was employed as a teacher in a prekindergarten or kindergarten to 3rd grade program in the State at any time between February 1, 2007 and February 1, 2008.

The Department of Education and the State Board of Education are not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this resolve.

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

Effective April 8, 2008.
