

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

gineering and math initiatives under section 1, the Department of Education shall produce a report with its findings and recommendations for review by the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 2009. The report must focus on the following:

1. Informing the Joint Standing Committee on Education and Cultural Affairs about the initiatives that work to inspire students in the science, technology, engineering and math areas of education;
2. The benefits of promoting science, technology, engineering and math education, including, but not limited to, job possibilities, job availability, wages and how promoting science, technology, engineering and math is tied to economic development of the State;
3. Suggestions for expanding science, technology, engineering and math initiatives throughout the State, including ideas for professional development;
4. Ideas of how to integrate and promote science, technology, engineering and math education in pre-kindergarten to grade 12 to inspire students to continue education in those subjects when pursuing undergraduate and graduate degrees;
5. Possible funding sources to further promote science, technology, engineering and math education; and
6. Helpful data or information to assist the Joint Standing Committee on Education and Cultural Affairs.

The Joint Standing Committee on Education and Cultural Affairs may submit legislation based on the findings and recommendations of the report submitted by the Department of Education to the Second Regular Session of the 124th Legislature by February 1, 2010.

See title page for effective date.

CHAPTER 99

H.P. 760 - L.D. 1105

Resolve, To Facilitate Training and Education on Dating Violence Prevention

Sec. 1. Review of policies and rules. Resolved: That the Department of Education shall review its policies and rules regarding faculty training and student education on dating violence prevention for students in grades 7 to 12 to determine the extent to which those policies and rules provide sufficient guidance to school administrative units on teaching and training basic principles and definitions of dating violence prevention, how to recognize dating violence warning signs, outlining actions and responses to dating violence, including communications with parents

or legal guardians, and defining the characteristics of healthy, age-appropriate dating relationships. The review must also assess the extent to which school administrative unit policies address the issue of dating violence prevention, including the elements and consistency of those policies; and be it further

Sec. 2. Report. Resolved: That the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs by March 1, 2010 on the findings of its review under section 1.

See title page for effective date.

CHAPTER 100

S.P. 461 - L.D. 1280

Resolve, To Provide a Program Model for Children with Autism Spectrum Disorder

Sec. 1. Department of Education to study program models for children with autism spectrum disorders. Resolved: That the Department of Education shall conduct a study of educational services for children with autism and other pervasive developmental disorders. The department shall convene a work group with broad stakeholder representation, including parents, involved in meeting the educational needs of children and youth with autism and other pervasive developmental disorders. The purpose of the work group is to analyze current educational services and to make recommendations that will assist the department to ensure that children and youth with autism and other pervasive developmental disorders have access to appropriate and effective services to meet their educational needs. The work group shall address the following issues:

1. The barriers to full inclusion for a student with autism or another pervasive developmental disorder and how the barriers are addressed;
2. Ensuring that appropriate individualized educational services by schools, in the least restrictive environment, are available to students diagnosed with autism and other pervasive developmental disorders and ensuring that parents are included in the process of determining those services;
3. Ensuring a successful transition by schools from one grade to the next grade for a student diagnosed with autism or another pervasive developmental disorder;
4. The resources about autism and other pervasive developmental disorders that are available to education professionals and paraprofessionals;

5. The current gaps in information about autism and other pervasive developmental disorders for education professionals and paraprofessionals and how these gaps can be addressed; and

6. The training requirements for education professionals and paraprofessionals who work with students diagnosed with autism and other pervasive developmental disorders; and be it further

Sec. 2. Report. Resolved: That the Department of Education shall submit a report, including the findings and recommendations from the work group under section 1, to the Joint Standing Committee on Education and Cultural Affairs by January 29, 2010. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to this report to the Second Regular Session of the 124th Legislature.

See title page for effective date.

**CHAPTER 101
H.P. 653 - L.D. 950**

**Resolve, Related to the Maine
Estate Tax**

Sec. 1. Procedures for discharge of liability of personal representative. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services shall make available a form for a personal representative to request a certificate of discharge of personal liability under the Maine Revised Statutes, Title 36, section 4066 and shall make the form and an explanation of the discharge process available on a publicly accessible website and through other available means; and be it further

Sec. 2. Review federal requirements for discharge of liability. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services shall review procedures under the United States Internal Revenue Code for the discharge of personal liability of a personal representative under the federal estate tax and report to the Joint Standing Committee on Taxation by January 15, 2010 identifying those requirements and procedures and the ways in which they differ from requirements and procedures in this State; and be it further

Sec. 3. Legislation. Resolved: That the Joint Standing Committee on Taxation may submit legislation to the Second Regular Session of the 124th Legislature related to the report provided under section 2 or to address changes to the estate tax determined to be

necessary as the result of any changes to the federal estate tax.

See title page for effective date.

**CHAPTER 102
H.P. 623 - L.D. 905**

**Resolve, Regarding the Sale of
Certain Real Property in the
City of Hallowell**

Sec. 1. Conditions of sale or transfer. Resolved: That the Department of Administrative and Financial Services shall, prior to the sale or transfer of any portions of the property authorized for sale by Resolve 2003, chapter 92, incorporate the following provisions into the conditions of sale or transfer. The sale or transfer must:

1. Reserve for the use or transfer to the City of Hallowell a portion of the parcel agreed to by the State and the City of Hallowell for municipal uses. This right for reservation or transfer may be surrendered by the City of Hallowell;

2. Reserve for the use or transfer to the City of Hallowell or any school administrative unit that includes the City of Hallowell whatever portion of the parcel as agreed to by the State, the City of Hallowell and the school administrative unit for purposes of education, educational administration or educational services to be provided by the school administrative unit. This right for reservation or transfer may be surrendered by the City of Hallowell and the school administrative unit. The State shall by September 30, 2009 enter into a lease to extend the current terms of School Administrative District 16 or any successor school administrative unit that includes the City of Hallowell as a tenant at the site through September 13, 2011, subject to existing laws and with the additional provision that such lease must survive any transfer of ownership prior to that date until the expiration of the lease;

3. Reserve a portion of the parcel for public open space or public recreation either by the developer retaining ownership but reserving the parcel or by transfer to any qualified governmental or qualified non-profit entity; and

4. Condition sale or transfer on the preservation and rehabilitation of the 5 buildings and surrounding grounds known as the Industrial School for Girls Historic District consistent with the "Secretary of the Interior's Standards for the Treatment of Historic Properties" as interpreted or otherwise determined appropriate by the Maine Historic Preservation Commission.

The Commissioner of Administrative and Financial Services, prior to issuance of any request for qualifica-