

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**September 27, 2011**

**SECOND REGULAR SESSION**  
**January 4, 2012 to May 31, 2012**

**THE EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**LAWS IS**  
**SEPTEMBER 28, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 30, 2012**

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

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**Augusta, Maine**  
**2012**

A. The prohibition on bullying and retaliation and the attendant consequences apply to any student, school employee, contractor, visitor or volunteer who engages in conduct that constitutes bullying or retaliation.

B. Any contractor, visitor or volunteer who engages in bullying must be barred from school grounds until the superintendent is assured that the person will comply with this section and the policies of the school board.

C. Any organization affiliated with the school that authorizes or engages in bullying or retaliation forfeits permission for that organization to operate on school grounds or receive any other benefit of affiliation with the school.

**8. Transparency and monitoring.** Each school administrative unit shall file its policies to address bullying and cyberbullying with the department.

**9. Staff training.** A school administrative unit shall provide professional development and staff training in the best approaches to implementing this section.

See title page for effective date.

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**CHAPTER 660**

**H.P. 467 - L.D. 637**

**An Act To Increase the Amount Tagging Agents Receive for Tagging Game**

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

**Sec. 1. 12 MRSA §12301-A, sub-§3, ¶C,** as amended by PL 2009, c. 213, Pt. OO, §10, is further amended to read:

C. Collect \$5 and retain \$1 §2 for each seal from the person registering a bear, deer, moose or wild turkey. The remaining \$4 §3 must be returned to the department by the agent pursuant to section 10801, subsection 3.

See title page for effective date.

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**CHAPTER 661**

**H.P. 572 - L.D. 765**

**An Act To Address the Documented Educational and Rehabilitation Needs of Persons Who Are Blind or Visually Impaired**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** legal requirements regarding the educational needs of children who are blind or visually impaired are not currently being met; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. 26 MRSA §1418-D, sub-§2,** as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

**2. Department of Education input; school administrative units.** The division shall ensure that the Department of Education has input into any contract to provide educational services and delivery of those services to blind or visually impaired children from birth to 20 years of age. Educational services for blind or visually impaired children from birth to 20 years of age are an entitlement mandated by federal law and, as such, children will receive priority for all services provided by the division. Nothing in this section relieves school administrative units from fulfilling their responsibilities under Title 20-A, Part 4, subpart 1.

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

Effective May 21, 2012.

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**CHAPTER 662**

**S.P. 456 - L.D. 1465**

**An Act To Amend the Laws Governing Freedom of Access**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. 1 MRSA §400** is enacted to read: