

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
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LAWS IS
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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.

Augusta, Maine
2012

that operate an approved gifted and talented education program in the 2011-2012 school year are subject to the requirements of the Maine Revised Statutes, Title 20-A, section 8101-A beginning on the effective date of this Act.

PART I

Sec. I-1. 20-A MRSA §7001, sub-§2-C, as enacted by PL 2011, c. 348, §3, is amended to read:

2-C. Individualized education program team. "Individualized education program team" means the group of individuals composed in accordance with Part C B of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1414(d)(1)(B) to determine the individualized education program for a child with a disability.

PART J

Sec. J-1. 20-A MRSA §1466, sub-§9, as enacted by PL 2009, c. 580, §9, is repealed and the following enacted in its place:

9. Required vote. Before the municipality may withdraw from the regional school unit, the withdrawal agreement must be approved by a majority vote of those casting valid votes in the municipality, and the total number of votes cast for and against withdrawal at the municipal vote must equal or exceed 50% of the total number of votes cast in the municipality for Governor at the last gubernatorial election.

This subsection is repealed January 1, 2015.

Sec. J-2. 20-A MRSA §1466, sub-§9-A is enacted to read:

9-A. Required vote; exception for a municipality of a school administrative district that was reformulated as a regional school unit. A 2/3 vote of those casting valid votes in the municipality is required before a municipality that is a member municipality of a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12 may withdraw from the regional school unit.

This subsection is repealed January 1, 2015.

Sec. J-3. 20-A MRSA §1466, sub-§9-B is enacted to read:

9-B. Required vote. Beginning January 1, 2015 a 2/3 vote of those casting valid votes in the municipality is required before the municipality may withdraw from the regional school unit.

Sec. J-4. 20-A MRSA §1466, sub-§13, as enacted by PL 2009, c. 580, §9, is amended to read:

13. Determination of results; execution of agreement. If the commissioner finds that a 2/3 majority of the voters voting on the article have has voted

in the affirmative and the total number of votes cast for and against the article equal or exceed 50% of the total number of votes cast in the municipality for Governor at the last gubernatorial election, the commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal.

This subsection is repealed January 1, 2015.

Sec. J-5. 20-A MRSA §1466, sub-§13-A is enacted to read:

13-A. Determination of results; execution of agreement; effective date. Beginning January 1, 2015, if the commissioner finds that a 2/3 majority of the voters voting on the article has voted in the affirmative, the commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal.

PART K

Sec. K-1. 20-A MRSA §1511, as amended by PL 2011, c. 171, §4, is further amended to read:

§1511. Supermajority vote to close school in the regional school unit

A school operated within the regional school unit may not be closed for lack of need unless closure of the school is approved at a regular or special meeting of the regional school unit board by an affirmative vote of 2/3 of the elected membership or voting power of those serving on the regional school unit board at the time of the vote. A regional school unit must proceed in accordance with section 1512 for elementary schools or for secondary schools if the regional school unit has more than one secondary school. For regional school units with only one member municipality, section 1512 does not apply and the regional school unit must proceed in accordance with section 4102, subsection 4, paragraph B-1.

See title page for effective date.

CHAPTER 679

S.P. 616 - L.D. 1779

An Act To Update the Career and Technical Education Laws

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. 20-A MRSA §254, sub-§3, as enacted by PL 1983, c. 693, §§5 and 8 and amended by PL 2005, c. 397, Pt. D, §3, is further amended to read:

3. Contracts for career and technical educational programs. The commissioner may:

A. Contract with a private school for the conduct of ~~vocational career and technical education~~ courses in accordance with section 3002; and

B. Reimburse the private schools for part of the cost of conducting approved ~~vocational career and technical education~~ courses from funds available from the Federal Government for the purpose of career and technical education.

Sec. 2. 20-A MRSA §2413, sub-§2, ¶A, as amended by PL 2011, c. 570, §19, is further amended to read:

A. For each public charter school student, the school administrative unit in which the student resides must forward the per-pupil allocation to the public charter school attended by the student as follows.

(1) The per-pupil allocation amount is the EPS per-pupil rate for the school administrative unit in which the student resides, as calculated pursuant to section 15676, based on the student's grade level and adjusted as appropriate for economic disadvantage and limited English proficiency pursuant to section 15675, subsections 1 and 2. Debt service and capital outlays may not be included in the calculation of these per-pupil allocations. The department shall adopt rules governing how to calculate these per-pupil allocations, including those for ~~vocational, technical and career and technical~~ education programs, targeted funds for assessment technology and kindergarten to grade 2 programs.

(2) For students attending public charter schools, the school administrative unit of residence shall forward the per-pupil allocations described in subparagraph (1) directly to the public charter school attended. These per-pupil allocations must be forwarded to each public charter school on a quarterly basis, as follows. For each fiscal year, allocations must be made in quarterly payments on September 1st, December 1st, March 1st and June 1st. The September payment must be based on the number of students enrolled or anticipated to be enrolled in the public charter school at the opening of school for that school year, which may not exceed the maximum enrollment approved in the charter

contract for that year unless a waiver is obtained from the authorizer. In February of the school year, if the number of students is higher or lower than the number of students at the beginning of the school year, adjustments must be made in the June payment, with 50% of the annual per-pupil allocation added for additional students or subtracted if the total number of students is lower.

(3) For transportation expenses, the average per-pupil expense in each school administrative unit of residence must be calculated and an amount equal to a proportion, up to but not more than 100%, of that per-pupil allocation amount must be forwarded to the public charter school attended on the same basis as the per-pupil allocations for operating funds. The percentage of that per-pupil expense must be determined by the authorizer of the public charter school and must be based on the cost of transportation services provided by the public charter school to the student.

(4) The department shall pay to the public charter school any additional allocation assigned to the public charter school for gifted and talented students pursuant to section 15681-A, subsection 5 in the year in which the allocation is assigned.

A school administrative unit is not required to send funds to a public charter school for a student enrolled in the public charter school's preschool or prekindergarten program if the school administrative unit of the student's residence does not offer that program to its own residents.

Sec. 3. 20-A MRSA §3002, as enacted by PL 1981, c. 693, §§5 and 8 and amended by PL 2005, c. 397, Pt. D, §3, is further amended to read:

§3002. Career and technical education

The commissioner may contract with a private school, which is serving one or more municipalities in lieu of a public secondary school, for the conduct of ~~vocational career and technical education~~ courses ~~which that~~ meet the same standards for approval as those conducted in public secondary schools.

Sec. 4. 20-A MRSA §6952, first ¶, as enacted by PL 2009, c. 296, §1, is amended to read:

To qualify for support, approval and funding under this chapter, the center must provide services to at-risk students who are or have been enrolled in one or more of grades 7 to 12. The admission of an at-risk student to the center is subject to approval by the center based upon criteria of the center approved by the commissioner. The center shall provide residential and nonresidential instruction that is approved pursuant to section 6951 and designed to effect positive,

sustainable change in the lives of at-risk students through comprehensive on-site education services in 4 major areas, including high-quality scholastic, ~~vocational~~ career and technical and behavioral health education; training and support for families of students; training and support for public school teachers in dealing with students who are at risk of failing or dropping out of school; and providing an environment conducive to research aiding the improvement of education for at-risk students.

Sec. 5. 20-A MRSA §8301-A, sub-§1-A is enacted to read:

1-A. Articulation agreement. "Articulation agreement" means an agreement between a center or region and a postsecondary institution that:

A. Sets forth a nonduplicative learning pathway for a specific program by which students have an opportunity to acquire a technical skill proficiency, a credential, a certificate or a degree; and

B. Includes a credit transfer agreement between the 2 institutions.

Sec. 6. 20-A MRSA §8301-A, sub-§5, as enacted by PL 1991, c. 518, §2, is repealed.

Sec. 7. 20-A MRSA §8305-A, sub-§1, ¶B, as corrected by RR 2003, c. 2, §43, is amended to read:

B. Receive career and technical education from a center, satellite program or region outside of the geographical area that serves the person's residence, subject to the approval of ~~the commissioner~~ and the governing bodies of the sending unit and receiving center, satellite program or region.

Sec. 8. 20-A MRSA §8305-A, sub-§3, as corrected by RR 2003, c. 2, §43, is amended to read:

3. Adult participation in career and technical education courses. Persons who are 20 years of age or older or who have graduated from a secondary school and who otherwise comply with the requirements of this section may receive career and technical education in a career and technical education course if, after all other eligible persons have been enrolled in that course, space exists to accommodate participation by persons who are 20 years of age or older or who have graduated from a secondary school. A region, center or satellite program may charge reasonable fees to persons who ~~are 20 years of age or older and who receive career and technical education pursuant to this section~~ subsection.

Sec. 9. 20-A MRSA §8306-A, as corrected by RR 2003, c. 2, §46, is repealed.

Sec. 10. 20-A MRSA §8306-B is enacted to read:

§8306-B. Approval of programs and courses; industry standards

1. Rules. The commissioner may adopt rules to establish requirements for career and technical education programs and courses in alignment with the system of learning results established in section 6209, to establish procedures for approving career and technical education programs and courses and to otherwise carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Approval required. A career and technical education program must be approved by the commissioner, in accordance with this chapter, in order to:

A. Be offered by a career and technical education center, region or affiliated unit;

B. Receive state subsidy; or

C. Receive approval for federal funding, except that the commissioner may approve federal funding for new and emerging industry programs prior to granting approval for the career and technical education program.

3. Industry standards. An approved career and technical education program must be designed to enable a student to meet industry standards applicable to the program.

A. The commissioner shall establish an industry stakeholder group to recommend industry standards to be met in each program offered by a career and technical education region, center or affiliated unit.

B. The industry stakeholder group under paragraph A shall recommend national industry standards for each program, unless there are no relevant, applicable national industry standards or the group determines that the national industry standards do not meet the needs of students and employers in this State.

C. If the industry stakeholder group under paragraph A does not recommend a national industry standard for a program, the commissioner shall convene one or more stakeholder groups to adopt or create state industry standards for that program.

D. The commissioner shall accept or reject the industry stakeholder group's recommendations under this subsection. If the commissioner accepts the recommendations, those industry standards become the applicable industry standards for the program. If the commissioner rejects the recommendations, the commissioner shall either designate alternative standards or ask the stakeholder group to make other recommendations.

4. Learning pathways and articulation agreements with postsecondary institutions. To the

greatest extent possible, a career and technical education program offered at a center or region must provide students the opportunity to take advantage of any applicable learning pathways, including learning pathways set forth in an articulation agreement with a postsecondary institution.

5. Application. A statewide career and technical education program seeking approval from the commissioner after the effective date of this section must meet the requirements of this section. A program approved by the commissioner prior to the effective date of this section must certify to the commissioner not later than July 1, 2013 that the program meets industry standards.

Sec. 11. 20-A MRSA §8401, as amended by PL 1991, c. 518, §11 and c. 655, §8, is repealed and the following enacted in its place:

§8401. Career and technical education centers

1. Centers established. A career and technical education center must be operated in the following school administrative units and must serve its affiliated units:

- A. Augusta;
- B. Biddeford;
- C. Calais;
- D. Lewiston;
- E. Machias;
- F. Portland;
- G. Sanford;
- H. Waterville;
- I. Westbrook;
- J. School Administrative District No. 46 (Dexter, Exeter, Garland and Ripley);
- K. Regional School Unit No. 1 (Arrowsic, Bath, Phippsburg, West Bath and Woolwich);
- L. Regional School Unit No. 9 doing business as School Administrative District No. 9 (Chester-ville, Farmington, Industry, New Sharon, New Vineyard, Temple, Vienna, Weld and Wilton);
- M. Regional School Unit No. 24 (Eastbrook, Ellsworth, Franklin, Gouldsboro, Hancock, Lamoine, Mariaville, Sorrento, Steuben, Sullivan, Waltham and Winter Harbor);
- N. Regional School Unit No. 39 (Caribou, Limestone and Stockholm);
- O. Regional School Unit No. 54 doing business as School Administrative District No. 54 (Canaan, Cornville, Mercer, Norridgewock, Skowhegan and Smithfield);

P. Regional School Unit No. 61 doing business as School Administrative District No. 61 (Bridgton, Casco, Naples and Sebago);

Q. Regional School Unit No. 79 doing business as School Administrative District No. 1 (Castle Hill, Chapman, Mapleton, Presque Isle and Westfield);

R. Regional School Unit No. 88 doing business as School Administrative District No. 24 (Cyr Plantation, Hamlin and Van Buren); and

S. St. John Valley for Alternative Organizational Structure 62 (Madawaska and Grand Isle), School Administrative District No. 10 (Allagash), School Administrative District No. 27 (Eagle Lake, Fort Kent, New Canada, St. Francis, St. John Plantation, Wallagrass and Winterville Plantation) and Regional School Unit No. 33 doing business as School Administrative District No. 33 (Frenchville and St. Agatha).

Sec. 12. 20-A MRSA §8402, as amended by PL 2007, c. 667, §12, is further amended to read:

§8402. Programs

A center shall provide programs of career and technical education. Programs of career and technical education are eligible to receive state subsidy pursuant to chapters 606-B and 609. All programs of career and technical education offered by a center must be approved by the commissioner pursuant to section ~~8306-A~~ 8306-B, including programs previously approved under former section 8306-A. The programs must offer a sequence of courses that are directly related to the preparation of individuals for employment in current or emerging occupations and may include training and education in academic and business skills preparing students to further their education at the community college or other college level or allowing students to use trade and occupational skills on other than an employee basis. ~~Programs of career and technical education may also include alternative education programs and training and education in music, athletics, art and other activities approved by the commissioner pursuant to section 8306-A.~~

Sec. 13. 20-A MRSA §8403-A, sub-§2, as corrected by RR 2003, c. 2, §56, is amended to read:

2. Procedure for authorizing career and technical education satellite programs. Any affiliated unit that wishes to operate a career and technical education satellite program shall submit a written request to operate such a satellite program to the governing body of the center with which the unit is affiliated. The request must fully document the perceived need for the operation of a satellite program. The governing body of the center with which the unit is affiliated shall consider the request and forward its recommendation to the commissioner concerning whether that

request should be approved. The commissioner shall act on the request pursuant to section ~~8306-A~~ 8306-B.

Sec. 14. 20-A MRSA §8403-A, sub-§8 is enacted to read:

8. Access. A unit that operates a satellite program shall allow access by students from units affiliated with the career and technical education center or region.

Sec. 15. 20-A MRSA §8404, sub-§3, as amended by PL 2005, c. 2, Pt. D, §26 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

3. Duties. The advisory committee:

A. Shall advise and assist the center and its satellite programs in the preparation and submission of an annual report on the center and satellite programs to the commissioner and to each municipality served by the center or satellite programs;

B. Shall develop a cooperative agreement delineating the duties and powers of the advisory committee. A cooperative agreement or any amendment to the agreement must be ratified by the school board of each unit or affiliated unit served by the center. A cooperative agreement must be reviewed annually by the advisory committee and submitted by the center and its affiliated units to the commissioner; and

~~C. Shall, in the event that the school boards of School Administrative District No. 27, School Administrative District No. 33 and Madawaska School Department enter into a cooperative agreement pursuant to section 8401 and a new career and technical education center in Maine School Administrative District No. 33 becomes operational, devise a cost sharing formula for the center established thereby pertaining to the cost of career and technical education programs that exceed expenditures made for those programs in the base year as adjusted pursuant to section 15681 A, subsection 4 and to the local share of debt service costs attributable to construction of the center in School Administrative District No. 33;~~

D. May devise a formula for sharing costs of the center among the member units served by that center. Such a formula or any amendment to the formula must be ratified by the school board of each unit or affiliated unit served by the center. Any such unit may withdraw, subject to obligations incurred by the unit for any debt issued previously by or for the benefit of the center, from such a cost-sharing formula at the end of any fiscal year following one year's written notice to all other units served by the center. Following withdrawal by such a unit, the center shall, if the unit

wishes, continue to serve that unit under a financial arrangement approved by the center that does not assess the unit a per pupil assessment that exceeds the per pupil assessments of the other participating units;.

~~E. Shall, for the purposes of calculating program costs for state subsidy purposes for fiscal year 2000-01 for the City of Portland and the other school units affiliated with Portland Arts and Technology High School, reallocate the total career and technical education costs of Portland Arts and Technology High School for fiscal year 1998-99 among the City of Portland and those units on the basis of the average of the percentage of the number of pupils attending Portland Arts and Technology High School from the City of Portland and each of those units on October 1, 1997 and October 1, 1998;~~

~~F. Shall, for the purposes of calculating program costs for state subsidy purposes for fiscal year 2001-02 for the City of Portland and the other school units affiliated with Portland Arts and Technology High School, reallocate the total career and technical education costs for fiscal year 1999-00 among the City of Portland and those units on the basis of the average of the percentage of the number of pupils attending Portland Arts and Technology High School from the City of Portland and each of those units on October 1, 1998 and October 1, 1999;~~

~~G. Shall, for the purposes of calculating program costs for state subsidy purposes of fiscal year 2000-01 for the City of Westbrook and the other school units affiliated with Westbrook Regional Vocational Center, reallocate the total career and technical education costs of Westbrook Regional Vocational Center for fiscal year 1998-99 among the City of Westbrook and those units on the basis of the average of the percentage of the number of pupils attending Westbrook Regional Vocational Center from the City of Westbrook and each of those units on October 1, 1997 and October 1, 1998; and~~

~~H. Shall, for the purposes of calculating program costs for state subsidy purposes for the fiscal year 2001-02 for the City of Westbrook and the other school units affiliated with Westbrook Regional Vocational Center, reallocate the total career and technical education costs of Westbrook Regional Vocational Center for fiscal year 1999-00 among the City of Westbrook and those units on the basis of the average of the percentage of the number of pupils attending Westbrook Regional Vocational Center from the City of Westbrook and each of those units on October 1, 1998 and October 1, 1999.~~

Sec. 16. 20-A MRSA §8405, as amended by PL 1991, c. 518, §16 and c. 716, §7 and PL 2003, c. 545, §6, is further amended to read:

§8405. Director

A unit operating a center shall employ a certified career and technical education director.

1. Qualifications. The career and technical education director must meet the qualifications prescribed by the state board in accordance with section 13011, subsection 5.

2. Administrative status. The career and technical education director shall serve as chief administrative officer of the center and has the authority of a principal in the unit operating the center.

Sec. 17. 20-A MRSA §8451, sub-§2, as amended by PL 1999, c. 39, §1 and PL 2003, c. 545, §5, is repealed and the following enacted in its place:

2. Boundaries. The career and technical education regions have boundaries as follows.

B. Region 2. SOUTHERN AROOSTOOK COUNTY. Units located in this region include:

- (1) Bancroft;
- (2) Benedicta Township;
- (3) Orient;
- (4) Regional School Unit No. 29 doing business as School Administrative District No. 29 (Hammond, Houlton, Littleton and Monticello);
- (5) Regional School Unit No. 50 (Crystal Dyer Brook, Hersey, Island Falls, Merrill, Moro Plantation, Mount Chase, Oakfield, Patten, Sherman, Smyrna and Stacyville);
- (6) Regional School Unit No. 70 doing business as School Administrative District No. 70 (Amity, Cary Plantation, Haynesville and Hodgdon) and Linneus, Ludlow and New Limerick; and
- (7) Regional School Unit No. 84 doing business as School Administrative District No. 14 (Danforth and Weston).

C. Region 3. NORTHERN PENOBSCOT COUNTY. Units located in this region include:

- (1) Carroll Plantation;
- (2) Drew Plantation;
- (3) East Millinocket;
- (4) Glenwood Plantation;
- (5) Lakeville;
- (6) Lambert Lake Township;

- (7) Lowell;
- (8) Macwahoc Plantation;
- (9) Medford;
- (10) Medway;
- (11) Millinocket;
- (12) Prentiss Township;
- (13) Reed Plantation;
- (14) Seboeis Plantation;
- (15) Vanceboro;
- (16) Woodville;
- (17) Regional School Unit No. 30 doing business as School Administrative District No. 30 (Lee, Springfield, Webster Plantation and Winn);
- (18) Regional School Unit No. 31 doing business as School Administrative District No. 31 (Burlington, Edinburg, Enfield, Howland, Maxfield and Passadumkeag);
- (19) Regional School Unit No. 67 (Chester, Lincoln and Mattawamkeag); and
- (20) East Range Community School District (Codyville Plantation and Topsfield).

D. Region 4. SOUTHERN PENOBSCOT COUNTY. Units located in this region include:

- (1) Bangor;
- (2) Brewer;
- (3) Dedham;
- (4) Grand Falls Township;
- (5) Greenbush;
- (6) Greenfield Township;
- (7) Hermon;
- (8) Indian Island, Penobscot Indian Reservation;
- (9) Milford;
- (10) Orrington;
- (11) Regional School Unit No. 22 doing business as School Administrative District No. 22 (Hampden, Newburgh and Winterport);
- (12) Regional School Unit No. 26 (Glenburn, Orono and Veazie);
- (13) Regional School Unit No. 34 (Alton, Bradley and Old Town);

(14) Regional School Unit No. 63 doing business as School Administrative District No. 63 (Clifton, Eddington and Holden);

(15) Regional School Unit No. 64 doing business as School Administrative District No. 64 (Bradford, Corinth, Hudson, Kenduskeag and Stetson);

(16) Regional School Unit No. 87 doing business as School Administrative District No. 23 (Carmel and Levant); and

(17) Airline Community School District (Amherst, Aurora, Great Pond and Osborn).

F. Region 7. WALDO COUNTY. Units located in this region include:

(1) Regional School Unit No. 3 doing business as School Administrative District No. 3 (Brooks, Freedom, Jackson, Knox, Liberty, Monroe, Montville, Thorndike, Troy, Unity and Waldo); and

(2) Regional School Unit No. 20 (Belfast, Belmont, Frankfort, Morrill, Northport, Searsport, Stockton Springs and Swanville).

G. Region 8. KNOX COUNTY. Units located in this region include:

(1) Islesboro;

(2) Monhegan Island Plantation;

(3) Regional School Unit No. 7 doing business as School Administrative District No. 7 (North Haven);

(4) Regional School Unit No. 8 doing business as School Administrative District No. 8 (Vinalhaven);

(5) Regional School Unit No. 13 (Cushing, Owls Head, Rockland, St. George, South Thomaston and Thomaston);

(6) Regional School Unit No. 40 doing business as School Administrative District No. 40 (Friendship, Union, Waldoboro, Warren and Washington);

(7) Regional School Unit No. 65 doing business as School Administrative District No. 65 (Matinicus Isle Plantation); and

(8) Five Town Community School District (Appleton, Camden, Hope, Lincolnville and Rockport).

H. Region 9. NORTHERN OXFORD COUNTY. Units located in this region include:

(1) Albany Township;

(2) Gilead;

(3) Mason Township;

(4) Milton Township;

(5) Riley Township;

(6) Upton, as long as it sends its secondary students to schools operated by administrative units within the region;

(7) The portion of Regional School Unit No. 10 comprising the municipalities in the former units of Hanover, Peru, School Administrative District No. 21 (Canton, Carthage and Dixfield) and School Administrative District No. 43 (Byron, Mexico, Roxbury and Rumford); and

(8) Regional School Unit No. 44 doing business as School Administrative District No. 44 (Andover, Bethel, Greenwood, Newry and Woodstock).

I. Region 10. EASTERN CUMBERLAND-SAGADAHOC COUNTY. Units located in this region include:

(1) Brunswick;

(2) Regional School Unit No. 5 (Durham, Freeport and Pownal); and

(3) Regional School Unit No. 75 doing business as School Administrative District No. 75 (Bowdoin, Bowdoinham, Harpswell and Topsham).

J. Region 11. SOUTHERN OXFORD COUNTY. Units located in this region include:

(1) The portion of Regional School Unit No. 10 comprising the municipalities in the former School Administrative Unit No. 39 (Buckfield, Hartford and Sumner); and

(2) Regional School Unit No. 17 doing business as School Administrative District No. 17 (Harrison, Hebron, Norway, Otisfield, Oxford, Paris, Waterford and West Paris).

Sec. 18. 20-A MRSA §8451, sub-§5, as corrected by RR 2003, c. 2, §60, is amended to read:

5. Northern Aroostook County. Northern Aroostook County is also a region.

A. Public secondary schools located at ~~Van Buren~~, in the school administrative units of Madawaska, St. Agatha, ~~Fort Kent~~ and Allagash School Administrative District No. 10 (Allagash), School Administrative District No. 27 (Eagle Lake, Fort Kent, New Canada, St. Francis, St. John Plantation, Wallagrass and Winterville Plantation) and Regional School Unit No. 33 doing business as School Administrative District No. 33 (Frenchville and St. Agatha) are served by ~~centers~~ a center located in ~~Van Buren, Madawaska and Fort~~

~~Kent Frenchville (St. John Valley Technology Center), provided that in the event that as long as the school boards of former School Administrative District No. 27 (Eagle Lake, Fort Kent, New Canada, St. Francis, St. John Plantation, Wallagrass and Winterville Plantation), former School Administrative District No. 33 (Frenchville and St. Agatha) and Madawaska enter into a cooperative agreement pursuant to section 8401, the agreement must provide that if a new center located in Maine School Administrative District No. 33 becomes operational, career and technical education students from Maine School Administrative District No. 10 (Allagash) must be allocated slots in the career and technical education programs at the center as tuition students on the same basis as students from the 3 participating units and that career and technical education students from Regional School Unit No. 88 doing business as School Administrative District No. 24 (Cyr Plantation, Hamlin and Van Buren) must be permitted to attend that center on a tuition basis to the extent that there are unused slots available in the career and technical education programs at the center.~~

B. ~~Notwithstanding sections 8452 to 8459, these the centers under paragraph A are governed by the school boards of the units operating the centers, but have an advisory committee, as defined in section 8404, for the Northern Aroostook County region, provided except that, in the event that the school boards of School Administrative District No. 27, Regional School Unit No. 33 doing business as School Administrative District No. 33 and the Madawaska School Department school administrative unit enter into a cooperative agreement pursuant to section 8401, the Northern Aroostook County advisory committee must be made up of representatives of those 3 administrative units and the advisory committee has authority to review applications for employment and personnel records relating to the career and technical education director and teachers in the career and technical education programs of the center in order for the advisory committee to make employment recommendations to the Superintendent of Schools of Maine Regional School Unit No. 33 doing business as School Administrative District No. 33.~~

~~C. In the event that School Administrative District No. 27, School Administrative District No. 33 and Madawaska School Department enter into a cooperative agreement pursuant to section 8401, not later than June 30, 1989, the school boards of the 3 participating units shall, in conjunction with the advisory committee, develop and submit a plan to the commissioner for providing secondary career and technical education within the 3 participating units. The plan must include:~~

~~(1) A proposal for the construction of a new center in School Administrative District No. 33;~~

~~(2) Provisions for assignment without loss of salary of all continuing contract career and technical education teachers employed by School Administrative District No. 27 and Madawaska School Department to School Administrative District No. 33 if a new center in School Administrative District No. 33 becomes operational; and~~

~~(3) Assurances that all 3 participating administrative units, and School Administrative District No. 10 on a tuition basis, have access to programs at the new center in proportion to the number of high school students in each administrative unit.~~

~~D. The plan developed under paragraph C must be submitted to the commissioner for approval. The commissioner may make necessary recommendations to the participating units to assist in the implementation of the plan for the school year 1991-92.~~

~~E. If the school boards of School Administrative District No. 27, School Administrative District No. 33 and Madawaska enter into a cooperative agreement pursuant to section 8401 and if a plan developed under paragraph C is approved by the commissioner, School Administrative District No. 33 has the authority to undertake school construction projects for career and technical education in accordance with the provisions of chapter 609 and to borrow money and issue bonds and notes of the district for school construction projects in accordance with section 1311 and sections 1351 to 1354.~~

~~F. Section 8301-A, subsection 6 and sections 8452 to 8467 do not apply to the region established for Northern Aroostook County under this section.~~

Sec. 19. 20-A MRSA §8451-A, as amended by PL 2007, c. 667, §13, is further amended to read:

§8451-A. Programs

A region shall provide programs of career and technical education. Programs of career and technical education are eligible to receive state subsidy pursuant to chapters 606-B and 609. All programs of career and technical education offered by a region must be approved by the commissioner pursuant to section 8306-A 8306-B. The programs must offer a sequence of courses that are directly related to the preparation of individuals for employment in current or emerging occupations and may include training and education in academic and business skills preparing students to further their education at the community college or

college level or allowing students to use trade and occupational skills on other than an employee basis. ~~Programs of career and technical education may also include alternative education programs and training and education in music, athletics, art and other activities approved by the commissioner pursuant to section 8306-A.~~

Sec. 20. 20-A MRSA §8457, sub-§1, as amended by PL 2009, c. 154, §4, is further amended to read:

1. General powers and duties. A cooperative board has all of the powers and duties of a school board as provided in section 1001, subsections 1, 2, 4 to 7, 11-A and 12; section 1002; section 1256, subsections 1, 2 and 4 to 7; section 1257; sections 1313 to 1315; section 4801; section 13201; and section 13202. For such purposes, references in those sections to "school administrative unit," "administrative unit," "school unit," "unit," "school administrative district" or "district" district, "district," "regional school unit," "RSU," "alternative organizational structure" or "AOS" mean career and technical education region; references in those sections to "school board," "school committee," "board," "board of directors" or "directors" mean cooperative board; references in those sections to "director" mean a member of a cooperative board; and references in those sections to "they" mean either, as appropriate in the context, cooperative board or members of the cooperative board.

Sec. 21. 20-A MRSA §8459, sub-§2, as amended by PL 1991, c. 518, §26 and PL 2005, c. 397, Pt. D, §3, is further amended to read:

2. Meeting with career and technical education director. Shall meet with the ~~vocational career and technical education~~ director of the region at least 4 times each calendar year to review current and proposed programs, budgets and issues relating to career and technical education in the region.

Sec. 22. 20-A MRSA §8466, as amended by PL 1991, c. 518, §31 and PL 2005, c. 397, Pt. D, §3, is further amended to read:

§8466. Transfer or lease of school property to a career and technical education region

1. Authority. A unit within a region may transfer or lease unused property of the unit to the region for career and technical education purposes.

2. Definitions. For purposes of this section, "unit" includes a special school district ~~is considered a unit.~~

Sec. 23. 20-A MRSA §12703, as amended by PL 1989, c. 443, §35 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

§12703. Mission and goals

The basic mission of the Maine Community College System is to provide associate degree, diploma and certificate programs directed at the educational, ~~occupational career~~ and technical needs of the State's citizens and the workforce needs of the State's employers.

The primary goals of ~~post-secondary vocational-technical postsecondary career and technical~~ education and the Maine Community College System are to create an educated, skilled and adaptable labor force ~~which~~ that is responsive to the changing needs of the economy of the State and to promote local, regional and statewide economic development.

Sec. 24. 20-A MRSA §12704, sub-§1, as amended by PL 1991, c. 615, Pt. A, §1, is further amended to read:

1. Long-term and short-term training. Providing, in close cooperation with the private sector, both the long-term education and training required for certain ~~vocational career~~ and technical occupations, including occupational health and safety aspects of those occupations, and the short-term training necessary to meet specific private sector and economic development needs;

Sec. 25. 20-A MRSA §12704, sub-§4, as amended by PL 1989, c. 443, §36, is further amended to read:

4. General and related education. Offering each college student a general education designed to complement specific ~~vocational career~~ and technical skills and offering courses and curricula designed to teach students to think clearly, logically and analytically and to comprehend the multiple dimensions and facets of public and private issues and problems;

Sec. 26. 20-A MRSA §13019-C, sub-§1, as amended by PL 2001, c. 534, §9 and PL 2005, c. 397, Pt. D, §3, is further amended to read:

1. Initial certificate. A director of career and technical education certificate ~~shall be~~ is required of each director of a ~~vocational career and technical education~~ region or center established pursuant to this Title and of a ~~vocational career and technical education~~ program in an approved school. State board rules ~~shall~~ must require that qualifications for such a certificate include the following:

A. Three years of satisfactory experience in teaching or ~~vocational career and technical education~~ training or equivalent experience;

B. Academic and professional knowledge as demonstrated through completion of graduate or undergraduate courses or programs, performance in examinations or completion of specialized programs approved for this purpose;

C. A basic level of knowledge in competency areas determined by the state board; and

D. Satisfactory completion of an approved internship or practicum relating to the duties of a director of career and technical education.

Sec. 27. 20-A MRSA §15672, sub-§1-D is enacted to read:

1-D. Career and technical education costs. "Career and technical education costs" for subsidy purposes means all costs incurred by the career and technical education regions, centers or satellites in providing approved secondary school career and technical education programs, excluding transportation, capital costs and debt service.

Sec. 28. 20-A MRSA §15672, sub-§32-D, as enacted by PL 2005, c. 2, Pt. D, §36 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

Sec. 29. 30-A MRSA §4722, sub-§1, ¶Y, as amended by PL 2007, c. 562, §5, is further amended to read:

Y. Expand access to housing for young professionals and young families. The Maine State Housing Authority shall develop recommendations to create or modify programs with the goal of expanding access to housing for young professionals and young families. The Maine State Housing Authority shall specifically consider strategies to assist renters and first-time home buyers who are under 35 years of age and explore options for linking assistance levels to student loan obligations. The Maine State Housing Authority shall collaborate with the Maine Community College System, ~~vocational high schools~~ career and technical education programs and community action programs to encourage the development of affordable housing in high-cost housing areas of the State.

(1) The Maine State Housing Authority shall report its findings and recommendations regarding expanded access to housing for young professionals and young families to the Maine Development Foundation and to the joint standing committee of the Legislature having jurisdiction over housing matters no later than January 15, 2005;

Sec. 30. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 20-A, chapter 313, in the chapter headnote, the words "applied technology education" are amended to read "career and technical education" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 31. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 20-A, chapter 313, subchapter 3, in the

subchapter headnote, the words "applied technology centers" are amended to read "career and technical education centers" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 32. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 20-A, chapter 313, subchapter 4, in the subchapter headnote, the words "applied technology regions" are amended to read "career and technical education regions" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 680

H.P. 1263 - L.D. 1711

An Act To Adopt the Use of Standardized Risk Assessment in the Management of Domestic Violence Crimes

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. 15 MRSA §1023, sub-§4, ¶C, as amended by PL 2011, c. 341, §2, is further amended to read:

C. In a case involving domestic violence, set pre-conviction bail for a defendant before making a good faith effort to obtain from the arresting officer, the responsible prosecutorial office, a jail employee or other law enforcement officer:

- (1) A brief history of the alleged abuser;
- (2) The relationship of the parties;
- (3) The name, address, phone number and date of birth of the victim; ~~and~~
- (4) Existing conditions of protection from abuse orders, conditions of bail and conditions of probation; and

(5) Beginning no later than January 1, 2015, the results of a validated, evidence-based domestic violence risk assessment recommended by the Maine Commission on Domestic and Sexual Abuse, established in Title