

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

**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**  
**2013**

**Sec. 2. Report. Resolved:** That the Department of Agriculture, Conservation and Forestry and the University of Maine Cooperative Extension shall jointly submit a report, including findings and recommendations, on the pilot program designed under section 1 to the Joint Standing Committee on Education and Cultural Affairs no later than January 10, 2014. The joint standing committee may report out a bill related to the report to the Second Regular Session of the 126th Legislature.

See title page for effective date.

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**CHAPTER 70  
H.P. 828 - L.D. 1184**

**Resolve, Requiring  
Rulemaking Regarding Special  
Education Requirements and  
Review of School  
Administrative Units That Do  
Not Operate Any Schools**

**Sec. 1. Department of Education to adopt rules. Resolved:** That the Department of Education shall amend its rules governing special education to establish a process for the department to review sending school units with respect to children with disabilities who reside within the sending school units who attend receiving schools. As used in this resolve, "sending school unit" means a school administrative unit that does not own, lease or otherwise operate any school. As used in this resolve, "receiving school" means a school administrative unit or private school that receives students from a sending school unit. The process must include:

1. A requirement that the department contact the superintendent of the sending school unit under review to request a list of students with disabilities and the receiving school each student attends;
2. A requirement that the department request the receiving school to submit information to the department in connection with the students who are from the sending school unit that is under review. The information must include, but is not limited to, individualized education programs, written notices, advanced written notices and evaluations. The rules must require the receiving school to submit the information requested by the department;
3. A method for the department to audit the information submitted by the receiving school and a procedure for the department to issue letters of findings and corrective action plans to the superintendent of the sending school unit. The rules must also include a requirement that the department send copies of letters of findings and corrective action plans to the

person in charge of special services for the receiving school;

4. A requirement that the sending school unit under review submit letters to the department indicating the sending school unit has authorized the receiving school to commit resources on behalf of the sending school unit and in furtherance of the sending school unit's policies for child find and referral as set forth in federal law; and

5. A requirement that the sending school unit under review recognize its responsibility for providing free appropriate public education and confirmation from the sending school unit that it will work with the receiving school to correct any findings outlined in letters of findings and corrective action plans.

Rules adopted pursuant to this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

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**CHAPTER 71  
S.P. 509 - L.D. 1415**

**Resolve, To Amend the Rules  
Governing Events at Clubs  
with a License To Sell Alcohol  
for On-premises Consumption  
with Catering Privileges**

**Sec. 1. Department of Public Safety to amend rules governing events at clubs licensed for on-premises consumption of alcohol. Resolved:** That the Department of Public Safety shall amend its rules to allow a group holding an event at a club licensed for on-premises consumption of alcohol with catering privileges to sell tickets at the door to members of that group at the time of the event as long as the membership can be verified. The rules must include a requirement that the licensee submit semi-annual reports listing all events held by groups at the licensed club, the number of group members who attended each event and how many tickets to each event were sold in advance; and be it further

**Sec. 2. Events held at clubs licensed for on-premises consumption of alcohol; report. Resolved:** That, by February 1, 2015, the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and collection of taxes on malt liquor and wine shall submit a report to the joint standing committee of the Legislature having jurisdiction over alcohol matters regarding reports received from clubs licensed for on-premises con-