

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

CORRECTIONS, STATE BOARD OF

State Board of Corrections Operational Support Fund Z087

Initiative: Provides one-time funding for an anticipated shortfall in fiscal year 2014-15.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$2,488,000	\$0	\$0
GENERAL FUND	\$2,488,000	\$0	\$0
TOTAL			

PART J

Sec. J-1. PL 2013, c. 595, Pt. Q, §1 is repealed.

PART K

Sec. K-1. Transfer from Public Utilities Commission. Pursuant to the Maine Revised Statutes, Title 35-A, section 117, the State Controller shall transfer \$500,000 in excess collections not required by the Public Utilities Commission from the Public Utilities Commission Reimbursement Fund to the unappropriated surplus of the General Fund no later than June 30, 2015.

PART L

Sec. L-1. Transfer of funds; Maine Community College System. Notwithstanding any other provision of law, on or before June 30, 2015, the State Controller shall transfer \$1,493,566 from the unappropriated surplus of the General Fund to the Maine Community College System - Board of Trustees program for the costs of collective bargaining agreements for employees of the Maine Community College System that occurred during fiscal year 2013-14 in the amount of \$494,322 and fiscal year 2014-15 in the amount of \$999,244. This amount may be allotted by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. This transfer is not considered an adjustment to appropriations.

PART M

Sec. M-1. Carrying provision; Office of the Secretary of State, Bureau of Administrative Services and Corporations. Notwithstanding any other provision of law, the Office of the Secretary of State is authorized to carry unexpended General Fund balances in fiscal year 2014-15 in the All Other line category in the Bureau of Administrative Services and Corporations program to fiscal year 2015-16 to be used to upgrade computer software for the boards and commissions program.

PART N

Sec. N-1. Contingent effective date. Part C, section 2 of this Act takes effect only if at least an additional 35% of the total funding needed for equipment and supplies is provided in fiscal year 2014-15 from the Highway Fund in accordance with the Maine Revised Statutes, Title 25, section 1509-A.

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

Effective April 12, 2015, unless otherwise indicated.

CHAPTER 17

H.P. 131 - L.D. 173

An Act To Amend the Laws Governing the Gold Star Family Registration Plate

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

Sec. 1. 29-A MRSA §524-B, sub-§§1 and 2, as enacted by PL 2011, c. 246, §1, are amended to read:

1. Eligibility. Notwithstanding the requirements in section 468-A, the Secretary of State, upon application and upon evidence of payment of the excise tax required by Title 36, section 1482 and the annual motor vehicle registration fee required by section 501, shall issue a registration certificate and a set of gold star family registration plates, to be used in lieu of regular registration plates, to:

A. A person who is eligible to receive a gold star lapel button under 10 United States Code, Section 1126 (2010); ~~and~~

B. A grandparent of a member of the United States Armed Forces, if that member dies after March 28, 1973 as a result of:

- (1) An international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the United States Secretary of Defense; or

- (2) Military operations while serving outside the United States, including the commonwealths, territories and possessions of the United States, as a part of a peacekeeping force;

C. A person who is not eligible to receive a gold star lapel button under 10 United States Code, Section 1126 (2010) but who is eligible for a lapel button for next of kin of deceased personnel under

32 Code of Federal Regulations, Section 578.63 (2006); and

D. A grandparent of a member of the United States Armed Forces, if that member dies while serving on active duty or while assigned in the reserve components of the United States Armed Forces or Army National Guard unit in a drill status.

2. Application. An application for gold star family registration plates must be accompanied by proof that the applicant is eligible ~~for the gold star lapel button~~. The Secretary of State, in consultation with the Department of Defense, Veterans and Emergency Management, shall verify the documentation presented by the applicant. Misrepresentation of documents is in violation of section 2103, subsection 5.

The Secretary of State may issue gold star family registration plates for display only on an automobile or pickup truck. An applicant may be issued gold star family registration plates for no more than one vehicle.

Sec. 2. 29-A MRSA §524-B, sub-§4 is enacted to read:

4. Gold star family vanity plates. Upon request and as provided by section 453, the Secretary of State shall issue gold star family registration plates that are also vanity plates. Gold star family vanity registration plates are issued in accordance with this section and section 453.

Sec. 3. Contingent effective date. That section of this Act that amends the Maine Revised Statutes, Title 29-A, section 524-B, subsections 1 and 2 does not take effect unless the Department of the Secretary of State receives donations from any public or private source to cover the costs of gold star family registration plates for those eligible as a result of this Act. Donations under this section must be deposited into the Specialty License Plate Fund established in Title 29-A, section 469. The Secretary of State shall notify the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes when the Department of the Secretary of State has received the donations required under this section.

See title page for effective date, unless otherwise indicated.

**CHAPTER 18
H.P. 36 - L.D. 38**

**An Act To Allow Sufficient
Time for Implementation of the
Performance Evaluation and
Professional Growth System
for Educators**

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

Whereas, it is necessary that this Act take effect prior to the beginning of the next school year, which begins in late summer 2015; 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. 20-A MRSA §13705, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

§13705. Phase-in of requirements

The requirements of this chapter apply to all school administrative units beginning in the ~~2015-2016~~ ~~2016-2017~~ school year. In the ~~2013-2014~~ ~~2014-2015~~ school year, each unit shall develop a system that meets the standards of this chapter, in collaboration with teachers, principals, administrators, school board members, parents and other members of the public. In the ~~2014-2015~~ ~~2015-2016~~ school year, each unit shall operate as a pilot project the system developed in the prior year by applying it in one or more of the schools in the unit or by applying it without using results in any official manner or shall employ other means to provide information to enable the unit to adjust the system prior to the first year of full implementation. Nothing in this section prohibits a unit from fully implementing the system earlier than the ~~2015-2016~~ ~~2016-2017~~ school year.

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

Effective April 12, 2015.

**CHAPTER 19
H.P. 13 - L.D. 10**

**An Act To Establish Native
American Heritage and
Culture Day**

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

Sec. 1. 1 MRSA §150-L is enacted to read: