

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**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**  
**2019**

**§2112. Application to cotrustee**

The terms of a trust may relieve a cotrustee from duty and liability with respect to another cotrustee's exercise or nonexercise of a power of the other cotrustee to the same extent that in a directed trust a directed trustee is relieved from duty and liability with respect to a trust director's power of direction under sections 2109 to 2111.

**§2113. Limitation of action against trust director**

**1. Action for breach of trust.** An action against a trust director for breach of trust must be commenced within the same limitation period as in the Maine Uniform Trust Code, section 1005 for an action for breach of trust against a trustee in a like position and under similar circumstances.

**2. Report or accounting.** A report or accounting has the same effect on the limitation period for an action against a trust director for breach of trust that the report or accounting would have under the Maine Uniform Trust Code, section 1005 in an action for breach of trust against a trustee in a like position and under similar circumstances.

**§2114. Defenses in action against trust director**

In an action against a trust director for breach of trust, the director may assert the same defenses a trustee in a like position and under similar circumstances could assert in an action for breach of trust against the trustee.

**§2115. Jurisdiction over trust director**

**1. Personal jurisdiction.** By accepting appointment as a trust director of a trust subject to this Act, the director submits to personal jurisdiction of the courts of this State regarding any matter related to a power or duty of the director.

**2. Other methods not excluded.** This section does not preclude other methods of obtaining jurisdiction over a trust director.

**§2116. Office of trust director**

Unless the terms of a trust provide otherwise, the rules applicable to a trustee apply to a trust director regarding the following matters:

**1. Acceptance.** Acceptance under the Maine Uniform Trust Code, section 701;

**2. Bond to secure performance.** Giving of bond to secure performance under the Maine Uniform Trust Code, section 702;

**3. Reasonable compensation.** Reasonable compensation under the Maine Uniform Trust Code, section 708;

**4. Resignation.** Resignation under the Maine Uniform Trust Code, section 705;

**5. Removal.** Removal under the Maine Uniform Trust Code, section 706; and

**6. Successor.** Vacancy and appointment of successor under the Maine Uniform Trust Code, section 704.

**§2117. Uniformity of application and construction**

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

**§2118. Relation to Electronic Signatures in Global and National Commerce Act**

This Act modifies, limits and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 United States Code, Section 7001 et seq., but does not modify, limit or supersede Section 101(c) of that Act, 15 United States Code, Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that Act, 15 United States Code, Section 7003(b).

**§2119. Effective date**

This Act takes effect January 1, 2020.

Effective January 1, 2020.

**CHAPTER 302****H.P. 1151 - L.D. 1592**

**An Act To Allow the  
Dissolution of Regional School  
Units Composed of a Single  
Municipality**

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

**Sec. 1. 20-A MRSA §1466, sub-§2,** as enacted by PL 2009, c. 580, §9, is amended to read:

**2. Form.** The Except as provided in subsection 2-A, the article to be voted upon must be in substantially the following form:

"Article: Do you favor filing a petition for withdrawal with the board of directors of regional school unit (name of regional school unit) and with the Commissioner of Education, authorizing the withdrawal committee to expend \$ (insert amount) and authorizing the (municipal officers; i.e., selectpersons, town council, etc.) to issue notes in the name of the (name of the municipality) or otherwise pledge the credit of the (name of the municipality) in an amount not to exceed \$ (insert amount) for this purpose?

Yes No"

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

**2-A. Form for withdrawal for a regional school unit composed of a single municipality.** If the regional school unit is composed of a single municipality, the article to be voted upon must be in substantially the following form:

"Article: Do you favor filing a petition for withdrawal from and dissolution of regional school unit (name of regional school unit) with the board of directors of regional school unit (name of regional school unit) and with the Commissioner of Education, authorizing the withdrawal committee to expend \$ (insert amount) and authorizing the (municipal officers; i.e., selectpersons, town council, etc.) to issue notes in the name of the (name of the municipality) or otherwise pledge the credit of the (name of the municipality) in an amount not to exceed \$ (insert amount) for this purpose?"

Yes No"

Sec. 3. 20-A MRSA §1466, sub-§7, as enacted by PL 2009, c. 580, §9, is amended to read:

**7. Article.** ~~The~~ Except as provided in subsection 7-A, the article to be voted on must be in the following form.

"Article: Do you favor the withdrawal of the (name of municipality) from the regional school unit (name of regional school unit) subject to the terms and conditions of the withdrawal agreement dated (insert date)?"

Yes No"

Sec. 4. 20-A MRSA §1466, sub-§7-A is enacted to read:

**7-A. Article for a regional school unit composed of a single municipality.** If the regional school unit is composed of a single municipality, the article to be voted upon must be in substantially the following form:

"Article: Do you favor the withdrawal of the (name of municipality) from the regional school unit (name of regional school unit) and the dissolution of the regional school unit (name of regional school unit) subject to the terms and conditions of the withdrawal agreement dated (insert date)?"

Yes No"

Sec. 5. 20-A MRSA §1466, sub-§21 is enacted to read:

**21. Dissolution.** Except as otherwise provided in this section, upon the withdrawal of a municipality

from a regional school unit that is composed of a single municipality, the regional school unit is dissolved.

See title page for effective date.

**CHAPTER 303**

**H.P. 1160 - L.D. 1601**

**An Act To Amend the Laws Governing the Educators for Maine Program**

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

Sec. 1. 20-A MRSA §12501-A, sub-§10, as enacted by PL 2003, c. 427, §2, is amended to read:

**10. Graduating high school senior.** "Graduating high school senior" means a student who is a resident of the State, who graduates from a secondary school ~~approved pursuant to section 2901 or a home instruction program as described in section 5001-A, subsection 3, paragraph A, subparagraph (4) and who is entering that student's first year in an institution of higher education at the beginning of the next academic year. An academic year for graduating high school seniors is considered to be from September to June.~~

Sec. 2. 20-A MRSA §12501-A, sub-§12, as amended by PL 2013, c. 7, §1, is further amended to read:

**12. Return service.** "Return service" means service in a public elementary or secondary school, publicly supported secondary school, special education facility as defined in section 7001, subsection 6 or private school in this State approved for tuition purposes for a full school year as a certified teacher or a speech pathologist, service as a Jobs for Maine's Graduates specialist with similar teacher certification or service for a 12-month period in a child care facility by an individual who has attained child care provider qualifications.

Sec. 3. 20-A MRSA §12501-A, sub-§14-A is enacted to read:

**14-A. Underserved geographic areas.** "Underserved geographic areas" means those geographic areas of the State where there is an insufficient supply of teachers or speech pathologists as determined by the chief executive officer in consultation with the commissioner.

Sec. 4. 20-A MRSA §12502, as amended by PL 2003, c. 427, §3, is further amended by adding at the end a new paragraph to read:

Under the program, the authority may annually award a certain number of loan repayments to selected educators in underserved geographic areas as funds