

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**3. Renewal; change of ownership or manager.**

A permittee seeking to renew a permit shall submit an application, but is not required to submit additional fingerprint cards. The permittee is required to notify the Chief of the State Police of any change in ownership or management of the commercial beano hall. The Chief of the State Police may require additional information or fingerprint submission subsequent to a change in ownership or management.

**4. Use of criminal history record.**

The Chief of the State Police may use state and federal criminal history record information for the purpose of screening applicants. The Chief of the State Police may refuse to issue or renew a permit for an individual, corporation, partnership or unincorporated association if an owner or manager has been found guilty of murder or a Class A, B or C crime or a violation of this chapter or Title 17-A, chapter 15, 29, 37 or 39 or a similar law in another state or jurisdiction, unless that conduct is not punishable as a crime under the laws of that state or other jurisdiction in which it occurred.

**5. Duration of permit and fee.**

The Chief of the State Police may issue a commercial beano hall permit for a calendar year for a fee of \$500.

**6. Membership in licensee organization.**

The permittee or the permittee's employee may not be a member of a licensee organization renting or leasing the commercial beano hall.

**7. Rent or lease amount.**

The permittee shall charge a licensee fair market value and may not charge based on the percentage of profit which the licensee makes for the rent or lease of a commercial beano hall.

**8. Exception.**

The requirements of this section do not apply to an agricultural fair association that qualifies for a license and operates beano or bingo games pursuant to section 314.

**Sec. 8. Allocation.**

The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
<b>Licensing and Enforcement - Public Safety</b>		
All Other	\$3,392	\$3,392
Allocates funds to cover the costs of administering		

the commercial beano hall  
permitting process.

See title page for effective date.

**CHAPTER 75**

**S.P. 508 - L.D. 1509**

**An Act to Amend and Improve the  
Education Laws**

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

**Sec. 1. 20-A MRSA §1, sub-§§17 and 18,** as enacted by PL 1981, c. 693, §§5 and 8, are amended to read:

**17. Major capital costs.** "Major capital costs" is defined in section ~~15503~~ 15603, subsection ~~43~~ 17.

**18. Minor capital costs.** "Minor capital costs" is defined in section ~~15503~~ 15603, subsection ~~44~~ 18.

**Sec. 2. 20-A MRSA §1351, sub-§1, ¶K,** as enacted by PL 1983, c. 422, §8, is amended to read:

K. To borrow funds for minor capital costs as defined in section ~~15503~~ 15603, subsection ~~44~~ 18.

**Sec. 3. 20-A MRSA §1407, sub-§2,** as amended by PL 1997, c. 266, §3, is further amended to read:

**2. Expense of keeping the school open.** If the voters vote to keep the school open, the member municipality is liable for some additional expense for actual local operating costs and transportation costs as defined in section 15603. The determination of costs is subject to the approval of the commissioner. The cost to be borne by the town voting to keep an elementary school open is the amount that would be saved if the school were closed ~~less the state operating subsidy for the students that attend the elementary school.~~ Any additional costs that must be borne by the member municipality must be part of the article presented to the voters at the meeting to determine whether the school should remain open.

**Sec. 4. 20-A MRSA §5809,** as amended by PL 1991, c. 716, §§6 and 7, is further amended to read:

**§5809. Students enrolled in applied technology educational programs**

Schools receiving tuition students who are enrolled in regular school day applied technology educational programs at applied technology centers,

satellites or applied technology regions, under chapter 313, may charge a tuition rate not to exceed 2/3 ~~of~~ of the maximum tuition rate as computed under sections 5805 or 5806.

**Sec. 5. 20-A MRSA §6209, first ¶,** as enacted by PL 1995, c. 649, §1, is amended to read:

The department in consultation with the state board shall establish and implement a comprehensive, statewide system of learning results, referred to in this section as the "system," no later than the 2002-03 school year. The system, based broadly upon guiding principles set forth in this section, must establish high academic standards at all grade levels in the areas of math; English; science and technology; social studies, including history, economics and civics; career preparation; visual and performing arts; health and physical education; and foreign languages. Only students in a public school or a private school approved by the State pursuant to section ~~2902~~ 2901 and approved for the receipt of public funds by private secondary schools pursuant to section 2951 are required to participate in the system of learning results. The commissioner shall develop accommodation provisions for instances where course content conflicts with sincerely held religious beliefs and practices of a student's parent or guardian. The system ~~shall~~ must be adopted to accommodate exceptional students as defined in section 7001, subsection 2.

**Sec. 6. 20-A MRSA §13013, sub-§2-A, ¶B,** as amended by PL 1997, c. 266, §17, is further amended to read:

B. Is a teacher with 5 or more years of experience teaching within the 7 years prior to application in the State under a valid certificate in another state and who has graduated from a state-approved preparation program that utilizes the standards of a national association of state directors of teacher education and certification or a national council for accreditation of teacher education or a national board certificate issued by the National Board for Professional Teaching Standards, or its successor organization, or, with the exception of the national teachers exam, meets entry-level standards for the endorsement;

See title page for effective date.

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**CHAPTER 76**

**H.P. 514 - L.D. 721**

**An Act to Amend the Radon Registration Act**

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

**Sec. 1. 22 MRSA §772, sub-§2, ¶C,** as enacted by PL 1989, c. 657, §1, is amended to read:

C. Has been determined to be acceptable by the United States Environmental Protection Agency under the Radon Measurement Proficiency Program conducted under 15 United States Code, Section 2661, ~~et. seq~~ or other means of proving proficiency as determined by the department.

**Sec. 2. 22 MRSA §772, sub-§4,** as enacted by PL 1989, c. 657, §1, is amended to read:

**4. Listed facility.** "Listed facility" means a radon testing facility that is designated as ~~a primary company by the Radon Measurement Proficiency Program of the United States Environmental Protection Agency under 15 United States Code, Section 2661, et. seq~~ providing radon analysis services and that has proven its proficiency to the department.

See title page for effective date.

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**CHAPTER 77**

**H.P. 802 - L.D. 1125**

**An Act to Modify the State's Safe Drinking Water Laws**

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

**Sec. 1. 22 MRSA §2615-A** is enacted to read:

**§2615-A. Consumer confidence reports**

**1. Annual reports to customers.** The commissioner shall require each community water system, as defined in section 2660-B, subsection 2, to prepare and provide to each customer of the system at least once annually a consumer confidence report, which must include, but is not limited to, the source of drinking water and potential contamination sources, the level of detected regulated contaminants and detected unregulated contaminants for which monitoring is required by the primacy agency, the health risks associated with detected contaminants, the status and notice of public input in the renewal of variances or exemptions, the nature of applicable compliance violations, including remedial action, and access to additional information from the community water system and the United States Environmental Protection Agency's safe drinking water hotline.

**2. Reports to State.** Each community water system shall mail to the department a copy of the consumer confidence report and a signed certification that the report is accurate and was delivered to each customer of the system.