

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

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

J.S. McCarthy Company
Augusta, Maine
1999

liquor at planned events or gatherings to be held at locations other than the licensee's premises under this section.

Sec. 4. 28-A MRSA §1061-A, sub-§2, as enacted by PL 1993, c. 730, §41, is repealed.

See title page for effective date.

CHAPTER 237

H.P. 857 - L.D. 1214

An Act Authorizing the Release of Information to a Competitive Electricity Provider

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

Sec. 1. 35-A MRSA §3203, sub-§16-A is enacted to read:

16-A. Customer information. A transmission and distribution utility may not release any customer-specific information to a licensed competitive electricity provider unless the provider produces sufficient evidence, as defined by the commission by rule, that the provider has obtained the customer's authorization.

Sec. 2. 35-A MRSA §3205, sub-§3, ¶I, as enacted by PL 1997, c. 316, §3, is repealed.

See title page for effective date.

CHAPTER 238

S.P. 461 - L.D. 1348

An Act to Ensure Support Services for Teachers Serving Under a Certification Waiver

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, two thirds 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 §13015, sub-§2, ¶B, as enacted by PL 1983, c. 845, §4, is amended to read:

B. Provide assistance and review to all individuals who are candidates for a higher level certificate or who are teaching under a waiver of the requirement to be certified under this chapter; and

See title page for effective date.

CHAPTER 239

H.P. 1107 - L.D. 1566

An Act to Clarify the Definition of Terms Relating to Scheduled Drugs

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

Sec. 1. 17-A MRSA §1101, sub-§21 is enacted to read:

21. "Cultivate" means to sow a seed; to grow, raise or tend a plant; to harvest a plant; or to knowingly possess a plant.

See title page for effective date.

CHAPTER 240

H.P. 1460 - L.D. 2092

An Act to Require Legislative Approval to Lease Certain Land to the Federal Government

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

Sec. 1. 12 MRSA §1814, as enacted by PL 1997, c. 678, §13, is amended to read:

§1814. Convey land

Consistent with section 598-A, the bureau may sell and convey lands under this subchapter and improvements on those lands. With the consent of the Governor and the commissioner and subject to the provisions of section 598-A, the bureau may convey interests in lands or lease the same. Any lease to the Federal Government requires the approval of the Legislature. Any lease entered into must be canceled or revoked after due notice of intention to cancel or revoke the lease by action of the bureau when the use for which that lease was given has been abandoned or materially modified or whenever the conditions imposed in any lease have been broken.

Sec. 2. 12 MRSA §1838, sub-§7, as enacted by PL 1997, c. 678, §13, is amended to read:

7. Lease of nonreserved public lands to Federal Government. With the consent of the Governor and the commissioner and with the approval of the Legislature, the director may lease to the Federal Government the right to use nonreserved public lands.

Sec. 3. 12 MRSA §1852, sub-§7, as enacted by PL 1997, c. 678, §13, is amended to read:

7. Lease of public reserved lands to Federal Government. With the consent of the Governor and the commissioner and with the approval of the Legislature, the bureau may lease to the Federal Government the right to use public reserved lands.

See title page for effective date.

CHAPTER 241

S.P. 792 - L.D. 2204

An Act to Amend the Calculation of Service Credits Under the Maine State Retirement System Pertaining to the Comprehensive Employment and Training Act of 1973 Employees

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

Sec. 1. 5 MRSA §17707, sub-§4, ¶D is enacted to read:

D. If an employee or member who has not contributed during that employee's or member's CETA employment or who has withdrawn that employee's or member's contributions later elects, under section 17761, subsection 3, to purchase that employee's or member's CETA time for past creditable service before any retirement benefit becomes effective for that member, that employee or member must pay into the Members' Contribution Fund, by a single direct payment or annual direct payments to the retirement system, an amount that, together with regular interest on that amount, is the actuarial equivalent, at the effective date of the retirement benefit, of the portion of the retirement benefit based on the additional creditable service. Annual payments must be made in accordance with section 17701, subsection 4. Additional amounts paid under this paragraph become a part of the employee's or member's accumulated contributions. If any retirement benefit becomes effective before the completion of the payment under this paragraph, the employee or member is entitled to service credit for a portion of the additional creditable service in the same proportion that the total amount of payments actually made, plus regular interest on those payments to the

date the retirement benefit becomes effective, bears to the actuarial equivalent of the total portion of the retirement benefit based on the additional creditable service.

Sec. 2. 5 MRSA §17761, sub-§3 is enacted to read:

3. Service credit allowed. Service credit for the period of CETA employment occurring before July 1, 1979 must be granted to any person who satisfies the following conditions:

A. The person was a CETA employee;

B. The person within 90 days of termination of CETA employment became a non-CETA employee of the employer; and

C. The employee contribution required by section 17707, subsection 4, paragraph D has been paid.

Sec. 3. 5 MRSA §18308, sub-§4, ¶D is enacted to read:

D. If an employee or member who has not contributed during that employee's or member's CETA employment or who has withdrawn that employee's or member's contributions later elects, under section 18361, subsection 3, to purchase that employee's or member's CETA time for past creditable service before any retirement benefit becomes effective for that member, that employee or member must pay into the Members' Contribution Fund, by a single direct payment or annual direct payments to the retirement system, an amount that, together with regular interest on that amount, is the actuarial equivalent, at the effective date of the retirement benefit, of the portion of the retirement benefit based on the additional creditable service. Annual payments must be made in accordance with section 18301, subsection 4. Additional amounts paid under this paragraph become a part of the employee's or member's accumulated contributions. If any retirement benefit becomes effective before the completion of the payment under this paragraph, the employee or member is entitled to service credit for a portion of the additional creditable service in the same proportion that the total amount of payments actually made, plus regular interest on those payments to the date the retirement benefit becomes effective, bears to the actuarial equivalent of the total portion of the retirement benefit based on the additional creditable service.

Sec. 4. 5 MRSA §18361, sub-§3 is enacted to read: