

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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.

J.S. McCarthy Company
Augusta, Maine
1999

limitations provided in this section; provided that a prosecution for murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, a prosecution for: incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct, may be commenced at any time.

Sec. 2. 17-A MRSA §8, sub-§2, as amended by PL 1991, c. 585, §2, is further amended to read:

2. Prosecutions for crimes other than murder or criminal homicide in the first or 2nd degree, or, if the victim had not attained the age of 16 years at the time of the crime, prosecutions for: incest; unlawful sexual contact; sexual abuse of a minor; rape or gross sexual assault, formerly denominated as gross sexual misconduct, are subject to the following periods of limitations:

A. A prosecution for a Class A, Class B or Class C crime must be commenced within 6 years after it is committed; and

B. A prosecution for a Class D or Class E crime must be commenced within 3 years after it is committed.

Sec. 3. Application. This Act applies to the following crimes in which the victim has not attained 16 years of age at the time of the crime:

1. Unlawful sexual contact and sexual abuse of a minor committed on or after the effective date of this Act; and

2. Unlawful sexual contact and sexual abuse of a minor for which the prosecution has not yet been barred by the previous statute of limitations in force on the effective date of this Act.

See title page for effective date.

CHAPTER 439

H.P. 573 - L.D. 813

An Act to Amend the Requirements of Full-time Students for State-funding Purposes

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

Sec. 1. 20-A MRSA §5021, sub-§8 is enacted to read:

8. Reimbursement for students enrolled in equivalent instruction programs. A school administrative unit is entitled to receive state subsidy for any

student who receives instruction through one or more on-site academic courses from a public school but is not a full-time student. A school administrative unit that sends any tuition student to another school administrative unit or to a private school approved pursuant to chapter 219 is also entitled to receive state subsidy under this subsection. The rate of reimbursement must be established in increments of 0.25 full-time equivalent status up to 1.0 full-time equivalent status based on the average amount of time per day that a student receives on-site academic services from a public school. School administrative units shall keep an accurate count of the number of students receiving on-site academic services and shall include the full-time equivalency status of these students in the annual count of students attending school in accordance with section 6004.

See title page for effective date.

CHAPTER 440

H.P. 716 - L.D. 1006

An Act to Provide for Citizen Participation in the Hancock County Budget

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

Sec. 1. 30-A MRSA §763, sub-§1, as amended by PL 1993, c. 227, §1, is further amended to read:

1. Budget committee membership; election; term. ~~The municipal officers from each county commissioner district shall choose the budget advisory committee members by the following procedure. The budget advisory committee consists of 10 members, 3 members from each commissioner district selected as provided for in this section and a member of the Hancock County legislative delegation. Of the 3 members from each commissioner district, 2 must be municipal officers in the district and one must be either a municipal officer in the district or a member of the public who is a resident of the commissioner district.~~

A. Before September 15th of every year, the county commissioners shall notify all municipal officers in the county and the public to caucus by county commissioner districts at a specified date, time and place for the purpose of electing at least either one municipal officer or one representative of the public from each district as a member of the budget advisory committee. The county commissioner shall serve as nonvoting moderator for that district caucus. Nominations for ei-

ther the municipal officer member or the public member must be received from the floor. The nominee for the category of member being chosen receiving the most votes is approved as a budget advisory committee member. The names of those elected by the caucus must be recorded and forwarded to the county commissioners.

B. Budget advisory committee members serve 3-year terms and no more than one member from each municipality may serve at a time. If a budget advisory committee member who is elected as a municipal officer member ceases to be a municipal officer during the term of membership, that committee member vacates membership and the next district caucus shall elect a qualified municipal officer to serve for the remainder of the unexpired term.

C. The county commissioners shall give public notice of the commissioner district caucuses at which budget advisory committee members are to be elected in the manner provided for town meetings in chapter 121.

See title page for effective date.

CHAPTER 441

S.P. 703 - L.D. 1978

An Act to Support the Graduate Education of Speech Pathologists for Maine Schools

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

Sec. 1. 20-A MRSA c. 428, as amended, is further amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 428

EDUCATORS FOR MAINE PROGRAM

Sec. 2. 20-A MRSA §12501, sub-§2-A is enacted to read:

2-A. Educator shortage area. "Educator shortage area" means a geographic region of the State for which there is an insufficient supply of teachers or speech pathologists, as determined by the chief executive officer in consultation with the commissioner.

Sec. 3. 20-A MRSA §12501, sub-§6-A, as enacted by PL 1991, c. 553, §2, is amended to read:

6-A. Students pursuing postbaccalaureate certification. "Students pursuing postbaccalaureate teacher certification" means students who have earned a Bachelor of Arts degree or its equivalent and are pursuing a program of studies leading to certification as a teacher or speech pathologist.

Sec. 4. 20-A MRSA §12501, sub-§6-B, as enacted by PL 1995, c. 117, Pt. E, §3 and affected by §13, is repealed.

Sec. 5. 20-A MRSA §12501, sub-§7, as amended by PL 1995, c. 117, Pt. E, §4 and affected by §13, is further amended to read:

7. Underserved subject areas. "Underserved subject areas" means those subjects or programs, required or authorized to be taught in the public schools for which there is an insufficient supply of teachers or speech pathologists, as determined by the chief executive officer in consultation with the ~~Commissioner of Education~~ commissioner.

Sec. 6. 20-A MRSA §12502, as amended by PL 1995, c. 117, Pt. E, §5 and affected by §13, is further amended to read:

§12502. Educators for Maine Program

There is established the ~~Teachers~~ Educators for Maine Program to provide financial assistance to college students, graduating high school seniors and students pursuing postbaccalaureate ~~teacher~~ certification who demonstrate an interest in pursuing a career in teaching in this State for postsecondary education and to teachers and speech pathologists for advanced degree or continued study. The program recognizes outstanding graduating high school seniors, college students and students pursuing postbaccalaureate ~~teacher~~ certification. The chief executive officer shall administer the program and shall establish by rule the rates of interest or fees to be charged.

Sec. 7. 20-A MRSA §12503, as amended by PL 1995, c. 117, Pt. E, §6 and affected by §13, is further amended to read:

§12503. Educators for Maine loan recipients

Each year graduating high school seniors, college students and students pursuing postbaccalaureate ~~teacher~~ certification who show evidence of academic achievement may be considered for recognition as ~~Teachers~~ Educators for Maine loan recipients. Applications must be submitted to the chief executive officer at a time and in a format to be determined by rule of the chief executive officer.

The Governor, after consultation with the chief executive officer, shall announce the names of those