

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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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
2001

authority as police officers within the limits of the requesting municipality, except as to the service of civil process and, when assisting other municipalities, shall have the same privileges and immunities as when acting within their own ~~municipality~~ municipality jurisdiction.

See title page for effective date.

CHAPTER 66

H.P. 813 - L.D. 1068

An Act to Clarify the Laws Relating to Corporate and Other Entities

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

Sec. 1. 13-A MRSA §809, sub-§5, as amended by PL 1973, c. 483, §12, is further amended to read:

5. The restatement may omit statements as to the incorporator or incorporators and the initial directors. In all other respects, the restatement ~~shall~~ must contain the same information and provisions as are required by this Act for original articles, except that if the corporation is managed by a board of directors, the restatement must provide either a fixed number of directors or a minimum and maximum number of directors as provided in chapter 7.

Sec. 2. 13-A MRSA §1401, sub-§27, as amended by PL 1999, c. 638, §5, is further amended to read:

27. An amendment to a foreign corporation's application for authority to do business in this State, as provided by section 1207, §70, except for a change in its registered or principal office, as provided by section 1207, subsection 1, paragraph C, §35;

Sec. 3. 31 MRSA §494, sub-§4, ¶B, as amended by PL 1993, c. 316, §59, is repealed and the following enacted in its place:

B. When the registered agent does not appoint a successor:

- (1) A statement of resignation;
- (2) The names of all the limited partnerships; and
- (3) An affidavit, signed by the registered agent, setting forth the date on which the notice of resignation was sent by certified or registered mail to the registered or principal office of each limited partnership, wherever located, from which the registered agent is resigning as registered agent.

A resignation takes effect under this paragraph upon filing the certificate with the Secretary of State.

Sec. 4. 31 MRSA §854, sub-§4, ¶B, as enacted by PL 1995, c. 633, Pt. B, §1, is repealed and the following enacted in its place:

B. When the registered agent does not appoint a successor:

- (1) A statement of resignation;
- (2) The names of all limited liability partnerships; and
- (3) An affidavit, signed by the registered agent, setting forth the date on which the notice of resignation was sent by certified or registered mail to the registered or principal office of each limited liability partnership, wherever located, from which the registered agent is resigning as registered agent.

A resignation takes effect under this paragraph upon filing the certificate with the Secretary of State.

See title page for effective date.

CHAPTER 67

H.P. 232 - L.D. 269

An Act to Implement the Recommendations Relating to Education Made by the Joint Study Committee to Study Bomb Threats in Maine Schools

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.

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

Whereas, the number and frequency of school bomb threats throughout the State during recent months has increased significantly; and

Whereas, bomb threats occurred at schools in 14 of the State's 16 counties during the 1999-2000 school year; and

Whereas, school bomb threats represent a significant danger to the health and safety of the students and staffs of schools throughout the State; and

Whereas, significant public resources are expended in responding to school bomb threats, particularly by schools and by municipalities; 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 §263 is enacted to read:

§263. Response to school bomb threats

1. Prototype guidelines, policies and protocols. The commissioner, in consultation with state and local emergency services officials and representatives of school personnel and school board members, shall develop prototypical guidelines, policies and protocols for school administrative units to present to their communities when those communities are considering implementing local policies that concern prevention of and response to school bomb threats. The prototypical guidelines, policies and protocols developed by the commissioner must be made available to all schools in the State no later than December 31, 2001.

2. Reporting of school bomb threats. Beginning with the 2001-2002 school year, all public schools and private schools enrolling more than 60% of their students at public expense in the State must report each bomb threat incident to the commissioner. The initial report must be made to the office of the superintendent within the school administrative unit or to the headmaster of the private school. The office of the superintendent or headmaster receiving a report of a bomb threat at a school must report that threat to the commissioner within 2 business days of the occurrence of the bomb threat. The commissioner shall report annually on the nature, frequency and impacts of school bomb threats in the State's schools to the joint standing committee of the Legislature having jurisdiction over education matters.

Sec. 2. 20-A MRSA §1001, sub-§§17 and 18 are enacted to read:

17. School bomb threat response policies. Beginning with the 2002-2003 school year, each

school board in the State must have adopted a school bomb threat policy that is consistent with the prototypical policies developed by the commissioner under section 263.

18. Bomb threat information in student handbooks. Beginning with the 2002-2003 school year, each school board shall include in its student handbook a section that addresses in detail the school's bomb threat policies and protocols. The section of the handbook must contain an explanation of the portions of the policies and protocols relevant to students and their families and explain to the students the educational and legal consequences of making a bomb threat to a school.

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

Effective May 2, 2001.

CHAPTER 68

H.P. 61 - L.D. 70

An Act to Designate the Second Saturday in September as Maine Youth Field and Stream Day

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

Sec. 1. 1 MRSA §140 is enacted to read:

§140. Maine Youth Field and Stream Day

The 2nd Saturday in September of each year is designated as Maine Youth Field and Stream Day. The Governor shall issue annually a proclamation inviting and urging the youth of this State to observe this day by participating in outdoor activities.

See title page for effective date.

CHAPTER 69

H.P. 732 - L.D. 952

An Act to Correct Errors in the Laws Regarding Court Unification

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

Whereas, in Public Law 1999, chapter 731, the 119th Legislature enacted legislation concerning court unification; and