

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 TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

412-A and any rules adopted pursuant to section 412-A.

5. Rulemaking. The superintendent may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective May 10, 2005.

CHAPTER 84

S.P. 101 - L.D. 339

An Act To Include Androscoggin County in the Law Governing the Use of County Surplus Funds

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

Sec. 1. 30-A MRSA §725, sub-§9, as amended by PL 1999, c. 253, §8, is repealed.

Sec. 2. 30-A MRSA §924, first ¶, as amended by PL 2001, c. 349, §6, is further amended to read:

The county commissioners of each county shall use any unencumbered surplus funds at the end of a fiscal year in the following fiscal year only as provided in this section, ~~except that the Androscoggin County commissioners shall act in accordance with section 725, subsection 9.~~

See title page for effective date.

CHAPTER 85

H.P. 309 - L.D. 424

An Act To Exempt Certain Religious, Nonpublic, Postsecondary Institutions from State Requirements for Degree-granting Authority

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

Sec. 1. 20-A MRSA §10708, sub-§§2 and 3, as enacted by PL 1981, c. 693, §§5 and 8, are amended to read:

2. Federal reservations. Offer programs or courses ~~which that~~ are conducted solely on a federal reservation over which the Federal Government has

exclusive jurisdiction. The commissioner shall authorize exempt status under this subsection; ~~and~~

3. Noncredit courses. Offer courses or programs ~~which that~~ are not for academic credit; ~~and~~

Sec. 2. 20-A MRSA §10708, sub-§4 is enacted to read:

4. Religious, nonpublic, educational institution. Meet the following criteria.

A. The educational institution must be substantially owned, operated or supported by a bona fide church or religious organization.

B. The educational programs of the educational institution must be primarily designed for, aimed at and attended by persons who seek to learn the particular religious faith or beliefs of the church or religious organization under paragraph A.

C. The programs under paragraph B must be intended to prepare students to assume leadership positions in, or enter into some other vocation closely related to, the particular faith of the church or religious organization under paragraph A.

The exemption under this subsection does not apply to any educational institution that represents to any student or prospective student that the major purpose of its program is to prepare the student for a vocation not closely related to the particular religious faith of the educational institution or to provide the student with a general educational program substantially equivalent to the educational programs offered by schools or departments or branches of schools that are not exempt from this section. Any educational institution receiving an exemption under this subsection must inform all applicants of its exempt status in writing and must prominently display the following statement on all written materials, including, but not limited to, any electronic materials, made available to potential applicants or to the general public: "Pursuant to the Maine Revised Statutes, Title 20-A, section 10708, subsection 4, this institution is not required to obtain authorization from either the State Board of Education or the Maine State Legislature in order to: (1) use the name "junior college," "college" or "university," (2) offer courses or programs for academic credit or (3) confer degrees."

See title page for effective date.

CHAPTER 86

H.P. 281 - L.D. 379

An Act To Raise the Marriage Fees