

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

July 29, 2005

SECOND REGULAR SESSION

January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR

SECOND SPECIAL SESSION

NON-EMERGENCY LAWS IS

OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR

SECOND REGULAR SESSION

NON-EMERGENCY LAWS IS

AUGUST 23, 2006

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

Penmor Lithographers

Lewiston, Maine

2006

The Department of Education may collaborate with other organizations in defining and providing targeted professional development or technical assistance to school administrative units in promoting the efficient and effective implementation of the system of learning results.

See title page for effective date.

CHAPTER 594

H.P. 1252 - L.D. 1812

An Act To Correct Deficiencies in the Divorce Laws

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

Sec. 1. 19-A MRSA §901, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2. Guardian ad litem. If the alleged cause is ~~mental illness~~ that one of the parties is an incapacitated person, as provided in section 902, subsection 1, paragraph F J, the court shall appoint a guardian ad litem to represent the interests of the ~~defendant~~ incapacitated person.

Sec. 2. 19-A MRSA §902, sub-§1, ¶I, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. 3. 19-A MRSA §902, sub-§1, ¶J is enacted to read:

J. A judicial determination has been made that one of the parties is an incapacitated person, as defined in Title 18-A, section 5-101, for whom a guardian with full powers has been appointed, other than a temporary guardian appointed pursuant to Title 18-A, section 5-310-A.

Sec. 4. 19-A MRSA §951-A, sub-§11 is enacted to read:

11. Support while pending. The trial court may make, modify or enforce an award of spousal support under this section while an action is pending, including while on appeal.

See title page for effective date.

CHAPTER 595

S.P. 844 - L.D. 2104

An Act Relating to Secondary School Construction Projects

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

Sec. 1. 20-A MRSA §15905, sub-§4, as amended by PL 1993, c. 324, §3, is further amended to read:

4. Rules. The state board may adopt or amend rules relating to the approval of school construction projects. Rules adopted pursuant to this subsection relating to the approval of major capital secondary school construction projects under this chapter are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

The state board is encouraged to review school construction rules regarding costs per square foot, consider other measures for containing building costs and report on these efforts to the joint standing committee of the Legislature having jurisdiction over education matters during the First Regular Session of the 115th Legislature. On or before February 1, 1994 the state board shall adopt rules for approving movable equipment costs for school construction.

Sec. 2. Effective date. This Act takes effect January 1, 2007.

Effective January 1, 2007.

CHAPTER 596

H.P. 1260 - L.D. 1820

An Act To Allow Small Businesses To Participate in Liquor Sales

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

Sec. 1. 28-A MRSA §453-A, sub-§5, as amended by PL 2001, c. 711, §5, is further amended to read:

5. Licensing decisions. The bureau shall conduct an investigation to determine the feasibility of the location and type of facility for the agency liquor store and shall issue the license to one or more of the applicants, taking into consideration the absence of an existing agency liquor store with less than 3,000 square feet of retail space in a downtown location and any other factors the bureau considers appropriate. The bureau is not required to consider the availability