

# 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.**

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**Penmor Lithographers**

**Lewiston, Maine**

**2006**

contract to provide home heating oil, kerosene or liquefied petroleum gas to a consumer unless that dealer has obtained and maintains in accordance with subsection 3 any one of the following:

A. Heating oil, kerosene or liquefied petroleum gas contracts or other similar commitments that allow the dealer to purchase, at a fixed price, heating oil, kerosene or liquefied petroleum gas in an amount not less than 75% of the maximum number of gallons that the dealer is committed to deliver pursuant to all prepaid contracts entered into by the dealer;

B. A surety bond in an amount not less than 50% of the total amount of funds paid to the dealer by consumers pursuant to all prepaid heating oil, kerosene or liquefied petroleum gas contracts entered into by the dealer; or

C. A letter of credit in an amount not less than 100% of the total amount of funds paid to the dealer by consumers pursuant to all prepaid heating oil, kerosene or liquefied petroleum gas contracts entered into by the dealer.

**3. Maintenance of security.** A dealer shall maintain the amount of futures contracts or other similar commitments, the amount of the surety bond or the letter of credit required by subsection 2 for the period of time for which the prepaid home heating oil, kerosene or liquefied petroleum gas contracts are effective, except that the amount of the futures contracts or surety bond may be reduced during such period of time to reflect any amount of home heating oil, kerosene or liquefied petroleum gas already delivered to and paid for by the consumer.

**4. Disclosure; additional contract requirements.** A prepaid home heating oil, kerosene or liquefied petroleum gas contract must indicate:

A. The amount of funds paid by the consumer to the dealer under the contract;

B. The maximum number of gallons of home heating oil, kerosene or liquefied petroleum gas committed by the dealer for delivery to the consumer pursuant to the contract; and

C. That the performance of the prepaid contract is secured by one of the options set forth in subsection 2.

**5. Reimbursement provision required.** A prepaid home heating oil, kerosene or liquefied petroleum gas contract must provide that the contract price of any undelivered home heating oil, kerosene or liquefied petroleum gas owed to the consumer under the contract at the end date of the contract must be reimbursed to the consumer not later than 30 days

after the end date of the contract unless the parties to the contract agree otherwise.

See title page for effective date.

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## CHAPTER 633

S.P. 93 - L.D. 273

### **An Act Regarding the So-called Katie Beckett Benefits in the MaineCare Program**

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

**Sec. 1. 22 MRSA §3173-F, sub-§1**, as enacted by PL 2003, c. 20, Pt. K, §9, is amended to read:

**1. Premiums.** The department may apply to the federal Centers for Medicare and Medicaid Services for a waiver or amend a pending or current waiver under the Medicaid program authorizing the department to impose cost sharing on some or all persons eligible for MaineCare under the Katie Beckett option authorized by the federal Tax Equity and Fiscal Responsibility Act of 1982. Premiums must be implemented on a sliding scale. The department must consult with stakeholders prior to implementing changes under this section and comply with applicable federal requirements regarding public participation in the development of the Katie Beckett waiver policy.

See title page for effective date.

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## CHAPTER 634

S.P. 789 - L.D. 2044

### **An Act To Enhance the Protection of Maine Families from Terrorism and Natural Disasters**

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

**Whereas**, the State's emergency preparedness efforts need to be supported to ensure that the State has the tools necessary to protect our citizens from terrorism and natural disasters; 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. 3 MRSA §959, sub-§1, ¶D**, as amended by PL 2003, c. 600, §1, is further amended to read:

D. The joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters shall use the following list as a guideline for scheduling reviews:

(1) Department of Public Safety, except for the division designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and the collection of taxes on malt liquor and wine and the Emergency Services Communication Bureau, in 2001; ~~and~~

(2) Department of Corrections in 2011; ~~and~~

(3) The Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management in 2008.

**Sec. 2. 3 MRSA §959, sub-§1, ¶J**, as amended by PL 2003, c. 600, §1, is further amended to read:

J. The joint standing committee of the Legislature having jurisdiction over legal and ~~veterans'~~ veterans affairs shall use the following schedule as a guideline for scheduling reviews:

(2) State Liquor and Lottery Commission in 2007;

(3) The division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and the collection of taxes on malt liquor and wine in 2007; and

(4) Department of Defense, Veterans and Emergency Management in 2011, except for the Maine Emergency Management Agency within the department.

**Sec. 3. 5 MRSA §1520, sub-§1, ¶B**, as amended by PL 2005, c. 12, Pt. SS, §4, is further amended to read:

B. The Chief Information Officer, in conjunction with the agencies using the statewide radio and

network system, operating as a board that may be referred to as "the Statewide Radio Network Board," shall establish the following:

(1) Standards for statewide radio and network system operations;

(2) Specifications for systems and components to be acquired by the State; and

(3) Standards for the exemption or waiver of state agencies from the requirements of this section.

By January 15, 2002, standards must be developed for statewide radio and network system usage by all state agencies not exempted under subparagraph (3).

**Sec. 4. 5 MRSA §1742, sub-§24**, as amended by PL 1997, c. 499, §1, is further amended to read:

**24. Application of minimum air ventilation standards.** Beginning September 1, 1988, to apply ASHRAE Standard 62-1989 entitled, Ventilation for Acceptable Indoor Air Quality, as prepared by the American Society of Heating, Refrigeration and Air Conditioning Engineers, Inc. or more stringent standards to buildings occupied by state employees during normal working hours. These standards must be applied to buildings that are constructed or substantially renovated by the State after September 1, 1988 and to buildings for which the State enters into new leases or renews leases following the date in this subsection. For the purpose of this subsection, "substantial renovation" means any renovation for which the cost exceeds 50% of the buildings' value.

A. The bureau, in cooperation with a labor-management committee established to look at this issue, shall develop a plan by which priorities are established for improving indoor air quality and ventilation standards in buildings occupied by state employees. This plan ~~shall~~ must include data gathering and analysis of air quality in a sample number of buildings by which reasonable projections and estimates concerning air quality can be established. The bureau shall report its findings to the joint standing committee of the Legislature having jurisdiction over state and local government no later than January 16, 1989. This report, at a minimum, ~~shall~~ must contain the following:

(1) A description of the extent of the problem, if any, with respect to air quality and ventilation in buildings occupied by state employees;

(2) Priorities of locations for which the improvement of air quality is necessary. These locations ~~shall~~ must be areas occupied by state employees during normal working hours;

(3) A timetable by which these priorities could be addressed;

(4) A description of what may be necessary to address these priorities, including feasible alternatives;

(5) The costs of addressing these priorities; and

(6) If possible, locations leased by the State ~~which~~ that may not meet the air quality standards defined in this subsection.

Nothing in this paragraph may be construed to require the bureau to conduct an in depth analysis for each building or to present technical data for each building occupied by state employees.

B. The indoor air quality and ventilation standards applied by the bureau ~~shall~~ remain in effect until the Board of Occupational Safety and Health adopts air quality and ventilation standards; ~~and~~

**Sec. 5. 5 MRSA §1742, sub-§25**, as enacted by PL 1989, c. 502, Pt. A, §18 and amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

**25. Sites for child care programs.** To review, in cooperation with the Office of Child Care Coordination in the Department of Health and Human Services, feasible sites for child care programs offered primarily as a service to state employees pursuant to Title 22, section 8307, subsection 2-;

**Sec. 6. 5 MRSA §1742, sub-§26**, as enacted by PL 2005, c. 519, Pt. W, §1, is amended to read:

**26. Rental income.** To credit income from the rental of facilities in Limestone to the Department of Administrative and Financial Services, Bureau of General Services, Other Special Revenue Funds account. These funds must be used for repairs, capital improvements and other costs of managing the facilities operated by the Maine Military Authority in Limestone.

Notwithstanding any other provision of law and except when the Governor in the case of an emergency pursuant to Title 37-B, section 742 or 744 needs money for disaster relief the Governor may transfer no more than 10% of the balance of the rental income, the department also may recommend that:

A. Part of the rental income collected by the Department of Administrative and Financial Services, Bureau of General Services pursuant to this subsection be transferred to the General Fund as undedicated revenue;

B. Part of the rental income collected by the Department of Administrative and Financial Services, Bureau of General Services pursuant to this subsection be transferred to the Department of Defense, Veterans and Emergency Management, Maine National Guard Education Assistance Pilot Program, Other Special Revenue Funds account for tuition assistance; ~~and~~

C. Part of the rental income collected by the Department of Administrative and Financial Services, Bureau of General Services pursuant to this subsection be transferred to the Department of Defense, Veterans and Emergency Management, Maine National Guard Education Assistance Pilot Program, Other Special Revenue Funds account for the reimbursement of the purchase of supplemental life insurance as provided for in the provisions of Title 37-B, section 390-B-; and

D. Beginning July 1, 2007, part of the rental income collected by the Department of Administrative and Financial Services, Bureau of General Services pursuant to this subsection be transferred to the Department of Defense, Veterans and Emergency Management for maintenance and repair of National Guard armories in the State; and

**Sec. 7. 5 MRSA §1742, sub-§27** is enacted to read:

**27. Disaster assistance.** Notwithstanding any other provision of law, to recommend, effective July 1, 2007, that 22.5% of the rental income collected by the Department of Administrative and Financial Services, Bureau of General Services under subsection 26, up to \$3,000,000, be transferred to the Department of Defense, Veterans and Emergency Management, Disaster Assistance Relief, Other Special Revenue Funds account for disaster assistance.

**Sec. 8. 5 MRSA §12004-I, sub-§91** is enacted to read:

<b>91.</b>	<u>Homeland</u>	<u>Not</u>	<u>37-B</u>
<u>Emergency</u>	<u>Security</u>	<u>Authorized</u>	<u>MRSA</u>
<u>Management</u>	<u>Advisory</u>		<u>§709</u>
	<u>Council</u>		

**Sec. 9. 20-A MRSA §15908, sub-§5** is enacted to read:

**5. Backup energy generators.** In the case of a school construction project in which the school is expected to be used as a community shelter, the state board may approve only those projects designed to accommodate backup energy generators.

**Sec. 10. 22 MRSA §10-A** is enacted to read:

**§10-A. Coordination and reporting on expenditure of funds pertaining to homeland security and bioterrorism prevention**

The Director of the Maine Center for Disease Control and Prevention shall coordinate in a mutually agreed upon manner with the Director of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management on the planning and expenditure of all federal funds received by the Maine Center for Disease Control and Prevention for homeland security emergency preparedness purposes or for the prevention of bioterrorism and provide a report annually, beginning December 15, 2006, to the Homeland Security Advisory Council established in Title 37-B, section 709. The advisor for the Homeland Security Advisory Council shall report by January 15th of each year, beginning in 2007, on the expenditure of such funds to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The report must include, but is not limited to, the amount of funds expended in the prior year, the purpose of those expenditures, the effect of those expenditures on homeland security and bioterrorism prevention and the plans for coordination with the Maine Emergency Management Agency for the expenditure of the funds received or anticipated for such purposes in the 2 years following submission of the report.

**Sec. 11. 37-B MRSA §704**, as amended by PL 2003, c. 510, Pt. A, §33, is further amended to read:

**§704. Director; duties**

The Maine Emergency Management Agency, as previously established and in this chapter called the "agency," shall be is under the supervision of the Director of the Maine Emergency Management Agency, who in this chapter shall be is called the "director." The director must be qualified by education, training or experience in managing emergencies or in the emergency management profession and is appointed by the Governor upon recommendation of the commissioner, subject to review by the joint standing committee of the Legislature having jurisdiction over the Department of Public Safety and the

Legislature. The director serves at the pleasure of the Governor.

The director may employ technical, clerical, stenographic, administrative and operative assistants and other personnel, subject to the Civil Service Law, and make expenditures, with approval of the commissioner, that are necessary to carry out the purposes of this chapter.

The director, subject to the direction and control of the commissioner, is responsible administratively to the commissioner, retains direct access to the Governor in the case of an emergency and is responsible for notifying the Governor and the commissioner of all emergencies. The director is the executive head of the agency and is responsible for carrying out the program for emergency management. The director shall represent the Governor on all matters pertaining to the comprehensive emergency management program and the disaster and emergency response of the State; shall coordinate the activities of all organizations for emergency management within the State; shall maintain liaison with and cooperate with emergency management and public safety agencies and organizations of other states, the Federal Government and foreign countries, and their political subdivisions; prior to the annual meeting required in section 782, subsection 4, shall provide to each of the local emergency management organizations of the State an annual assessment of each organization's degree of emergency management capability and any other information pertinent to ensuring the public's welfare and safety within the local organization's jurisdiction; and has additional authority, duties and responsibilities as may be prescribed by the commissioner or the Governor.

~~The director shall not require any political subdivision to participate in any program of nuclear civil protection planning.~~

The director, in consultation with the Office of Chief Medical Examiner, shall prepare a plan for the recovery, identification and disposition of human remains in a disaster. The Office of Chief Medical Examiner is responsible for execution of the plan, with full cooperation and assistance from all other members of the emergency management forces.

This plan must be reviewed and updated as necessary. The director shall see that the plan and the reviews receive suitable dissemination on a timely basis.

The director shall conduct periodic assessments at least once every 2 years, beginning January 15, 2007, of the use of public safety radio frequencies in emergency situations to ensure that first responders

obtain sufficient training to understand and comply with adopted protocols and procedures.

The director shall develop and conduct an annual program of comprehensive public education, using all appropriate means of communication to educate and inform members of the public and public officials about emergency preparedness, response, recovery and mitigation. The program must incorporate the use of appropriate accessible formats to educate and inform individuals with disabilities, individuals who are elderly and non-English-speaking residents of Maine.

**Sec. 12. 37-B MRSA §708** is enacted to read:

**§708. Homeland Security Advisory Council**

The Homeland Security Advisory Council, as established in Title 5, section 12004-I, subsection 91 and referred to in this section as "the council," shall advise the Governor on the coordination of homeland security activities of state agencies and the most effective use of grant funds.

**1. Membership.** The council is composed of the following 6 members:

- A. The director;
- B. The Commissioner of Defense, Veterans and Emergency Management;
- C. The Commissioner of Public Safety;
- D. The Director of the Bureau of Health within the Department of Health and Human Services;
- E. The Chief of the State Police within the Department of Public Safety; and
- F. A representative of the Governor.

The director is the chair of the council. The Commissioner of Defense, Veterans and Emergency Management is the advisor of the council.

**2. Duties of council.** The council shall:

- A. Advise the Governor with regard to the vulnerability of the State to terrorist activity;
- B. Advise the Governor with regard to the adequacy of the plans to enhance homeland security;
- C. Ensure that the homeland security activities of state agencies are coordinated;
- D. Advise the Governor with regard to the implementation of state programs using federal funds and administration of federal grants for homeland security, in order to ensure coordination among agencies and the most effective use of grant funds;

E. Advise the Governor with regard to the appropriateness of the federal homeland security threat advisory level for the State, based upon intelligence gathered in the State and from federal sources;

F. Advise the Governor with regard to the appropriate response to any terrorist threat; and

G. Periodically advise an emergency response team with pertinent information that could assist in the team's response to an event.

**3. Procedures.** The council shall meet:

A. At times and places as determined by the chair or the Governor and with assistance from state agencies as necessary and appropriate for the council's execution of its responsibilities as described in subsection 2;

B. Either in person or via telecommunication, as determined by the chair, immediately upon notification that the federal homeland security threat advisory level will be changed, in order to develop a recommendation to the Governor of the appropriate threat advisory level for the State and actions to be taken in the State; and

C. At the call of the chair or at the call of the Governor at any time the Governor requires the advice of the council.

The state response to any suspected terrorist event must be coordinated through the State Emergency Operations Center, in accordance with a state emergency operations plan as described in subsection 4, paragraph A. Meetings of the council are not public proceedings for purposes of Title 1, chapter 13, but may be open to the public at the discretion of the chair. Documents collected or produced by the council are not public records for the purposes of Title 1, chapter 13.

**4. Resources and support.** The agency shall provide staff and administrative support to the council from existing resources. The agency is the coordinating agency within State Government for homeland security operational preparedness, response, recovery and mitigation. As the coordinating agency, the agency shall:

A. Develop and maintain a state emergency operations plan, which must incorporate by reference any internal operational plans developed by other state agencies for emergency response;

B. Coordinate the State Emergency Operations Center with the council;

C. Coordinate with other state agencies in the development of their emergency response plans;

D. Administer the review and approval of all grant applications developed by local and state agencies for homeland security funds; and

E. Administer homeland security grant funds.

**Sec. 13. 37-B MRSA §745**, as enacted by PL 2005, c. 439, §1, is amended to read:

**§745. Disaster Relief Fund**

**1. Fund established.** There is established the Disaster Relief Fund, referred to in this section as "the fund," to be administered by the agency.

**2. Sources of fund.** The following must be paid into the fund:

A. All money appropriated for inclusion in the fund;

B. All interest from investment of the fund; and

C. Any other money deposited in the fund ~~to implement the provisions of this subchapter from the Department of Defense, Veterans and Emergency Management, Disaster Assistance Relief, Other Special Revenue Funds account.~~

**3. Use of fund.** The fund must be the first resource used when section 742 or 744 is invoked. The fund may also be used for the purpose of matching federal funds in the event of a federally declared disaster.

**4. Fund balance.** The fund's balance may not exceed \$3,000,000. Any amount, including interest, that accrues in excess of \$3,000,000 must be transferred by the State Controller to the Maine Budget Stabilization Fund, established in Title 5, section 1532.

**5. Annual report.** The director shall submit a written report by January 15, 2007 and annually thereafter to the Governor and the Legislature on the fund's balance and expenditures.

**Sec. 14. Radio frequency coordination for emergency planning.** The Statewide Radio Network Board, referenced in the Maine Revised Statutes, Title 5, section 1520, subsection 1, paragraph B, shall develop protocols and procedures for radio frequency coordination throughout the State during major emergencies and shall include participation by and obtain memoranda of understanding from various stakeholders, including: the Maine Emergency Management Agency; the Maine Fire Chiefs Association; the Maine Chiefs of Police Association; the Maine Fire Protection Services Commission; the

Maine Sheriffs' Association; the Maine State Police; the Department of Public Safety; federal first responders; Maine Emergency Medical Services; the Maine Hospital Association; and local public works and utilities. The Statewide Radio Network Board shall allocate no fewer than 6 public safety band radio frequencies to be used as multijurisdictional, county and state disaster channels. The Director of the Maine Emergency Management Agency shall develop a communications plan for multijurisdictional, regional and statewide disasters to ensure interoperability that includes participation with both public and private expected response partners and local, county, state and federal stakeholders. The Statewide Radio Network Board and the Maine Emergency Management Agency shall report by September 18, 2006 to the Task Force to Study Maine's Homeland Security Needs on their progress in obtaining memoranda of understanding from the various stakeholders and the need for training first responders in the area of radio frequency use and operation.

**Sec. 15. Community outreach for emergency planning.** The Director of the Maine Emergency Management Agency shall coordinate with the Commissioner of Education to perform an assessment of the number of Maine public schools that have adopted an all-hazards approach to emergency preparedness. The Director of the Maine Emergency Management Agency and the Commissioner of Education shall coordinate their efforts for community outreach for all-hazards emergency planning. The Director of the Maine Emergency Management Agency shall report by September 18, 2006 to the Task Force to Study Maine's Homeland Security Needs on the extent to which public schools have adopted an all-hazards approach to emergency preparedness and shall provide recommendations on how these plans should be improved.

**Sec. 16. Emergency notification systems, evacuation plans and shelters.** The Director of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management shall survey communities throughout the State to gather information on the following: the types of emergency notification systems that are in place throughout the State; evacuation plans for nursing homes currently adopted throughout the State; evacuation plans for other long-term care facilities, including home-based and community-based programs; evacuation plans for individuals living independently in communities who, due to age or disability, require assistance to evacuate; and shelter capabilities throughout the State, with a focus on determining how shelters are designed to accommodate populations with special needs, particularly persons with disabilities. The director shall survey communities and evaluate the information collected in collaboration with the Maine Developmental Disabili-



ties Council, the Department of Health and Human Services, the Statewide Independent Living Council and other interested parties. The director shall report by September 18, 2006 to the Task Force to Study Maine's Homeland Security Needs on the results of this survey and shall provide recommendations for improvement in these areas.

**Sec. 17. Report on hospital surge capacity.** The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services, in conjunction with health system stakeholders, shall update its recent survey of emergency health system capacity for public health emergencies in the State. The Director of the Maine Center for Disease Control and Prevention, in coordination with the Director of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management, and the Director of Maine Emergency Medical Services within the Department of Public Safety, in consultation with health system stakeholders including the Maine Primary Care Association, the Maine Hospital Association and other interested parties, shall develop recommendations to address Maine's acute medical and public health surge capacity and shall provide a report on these recommendations by September 18, 2006 to the Task Force to Study Maine's Homeland Security Needs.

**Sec. 18. Report on local health officers.** The Director of the Maine Center for Disease Control and Prevention, in conjunction with stakeholders and interested parties, shall study the qualifications and duties of local health officers in Maine and develop recommendations for enhancing the role of local health officers in emergency preparedness plans. The Director of the Maine Center for Disease Control and Prevention shall report by September 18, 2006 to the Task Force to Study Maine's Homeland Security Needs on the results of this study and proposed recommendations.

**Sec. 19. Regional resource centers and other health system resources.** The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall work with health care and emergency management stakeholders to distribute grant funds provided by the United States Department of Health and Human Services, Health Resources and Services Administration to ensure that the regional resource centers are provided with sufficient funding resources to improve health system preparedness, within the limits of the federal funds, in accordance with the documented local needs of the federally specified funding beneficiaries: emergency medical services, poison control centers, health clinics and hospitals in each region. The Director of the Maine Center for Disease Control and Prevention shall report to the Task Force to Study

Maine's Homeland Security Needs on the results of the federal Health Resources and Services Administration grant and contract with the regional resource centers and other health system providers and on proposed recommendations by September 18, 2006 and to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by January 15, 2007. The Maine Center for Disease Control and Prevention shall also report annually, beginning January 15, 2007, to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the progress of the grantees on meeting the stated contractual deliverables.

**Sec. 20. Disability indicator.** The Director of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management shall consult with the Public Utilities Commission to determine the feasibility of adding a disability indicator to the current E-9-1-1 system in Maine to allow individuals with disabilities and special health needs to choose to provide a 2-digit code identifying special assistance needs in an emergency. The director shall report by September 18, 2006 to the Task Force to Study Maine's Homeland Security Needs on the benefits and costs of this addition to the E-9-1-1 system.

**Sec. 21. Application to identify use of school as community shelter.** The Department of Education shall amend its written application for funding for school projects to include the question: "Do you plan to use your school as a public community shelter?"

**Sec. 22. Report regarding Emergency System for Advance Registration of Voluntary Health Professionals.** The Department of Health and Human Services, Maine Center for Disease Control and Prevention shall submit a report to the Task Force to Study Maine's Homeland Security Needs by September 18, 2006 detailing the number of health care workers, by profession, registered in the United States Department of Health and Human Services' Emergency System for Advance Registration of Voluntary Health Professionals.

**Sec. 23. Appropriations and allocations.** The following appropriations and allocations are made.

#### LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds necessary to change one previously authorized meeting of the Task Force to Study Maine's Homeland Security Needs to an off-site public hearing. The Maine Emergency Management Agency shall transfer these funds to the Legislature at the beginning of fiscal year 2006-07 to support the additional costs of the task force.

OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
All Other	\$0	\$1,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,000

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

Effective May 9, 2006.

**CHAPTER 635**

**S.P. 480 - L.D. 1381**

**An Act To Update Teachers' Minimum Salaries**

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

**Sec. 1. 20-A MRSA §3252, sub-§4-A,** as enacted by PL 2005, c. 12, Pt. QQQQ, §1, is amended to read:

**4-A. Targeted funds.** In addition to tuition rates calculated pursuant to chapter 219, targeted funds for each student in the unorganized territory must be paid to the school administrative unit or private school approved for tuition purposes that a student attends. For purposes of this subsection, "targeted funds" means those funds identified under essential programs and services for technology, assessment implementation of a standards-based system and kindergarten to grade 2 pursuant to section 15671, subsection 6 and section 15681.

**Sec. 2. 20-A MRSA §3253-A, sub-§3-A,** as enacted by PL 2005, c. 12, Pt. QQQQ, §2, is amended to read:

**3-A. Targeted funds.** In addition to tuition rates calculated pursuant to chapter 219, targeted funds for each student in the unorganized territory must be paid to the school administrative unit or private school approved for tuition purposes that a student attends. For purposes of this subsection, "targeted funds" means those funds identified under essential programs and services for technology, assessment implementation of a standards-based system and kindergarten to grade 2 pursuant to section 15671, subsection 6 and section 15681.

**Sec. 3. 20-A MRSA §13402, sub-§2,** as enacted by PL 1981, c. 693, §§5 and 8, is repealed.

**Sec. 4. 20-A MRSA §§13403 and 13404,** as enacted by PL 1985, c. 505, §3, are repealed.

**Sec. 5. 20-A MRSA §13405** is enacted to read:

**§13405. Minimum salaries for 2006-2007**

Each school administrative unit shall establish a minimum salary of \$27,000 for certified teachers for the school year starting after June 30, 2006.

**Sec. 6. 20-A MRSA §13406** is enacted to read:

**§13406. Minimum salaries beginning in 2007-2008**

Each school administrative unit shall establish a minimum salary of \$30,000 for certified teachers for the school year starting after June 30, 2007 and in each subsequent school year.

**Sec. 7. 20-A MRSA §15681, sub-§2-A,** as enacted by PL 2005, c. 519, Pt. LL, §3, is repealed and the following enacted in its place:

**2-A. Targeted funds to implement a standards-based system.** For targeted funds to implement a standards-based system, the commissioner shall:

A. For fiscal year 2006-07 only, dedicate a portion of the targeted funds to implement a standards-based system to the achievement of the minimum starting salary for certified teachers established in section 13405; and

B. For fiscal year 2007-08 and every subsequent year, calculate an amount to be made available to address the components of a standards-based system.

**Sec. 8. 20-A MRSA §15683, sub-§1, ¶C,** as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

C. If the school administrative unit is eligible for targeted student assessment funds for the implementation of a standards-based system pursuant to section 15681, subsection 1, the sum of:

- (1) The product of the elementary school level and middle school level per-pupil amount for targeted student assessment funds for the implementation of a standards-based system calculated pursuant to section 15681, subsection 2 multiplied by the kindergarten to grade 8 portion of the pupil count calculated pursuant to section