

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

Sec. 1. 20-A MRSA §401, sub-§4, as amended by PL 2005, c. 16, §1, is further amended to read:

4. Term. The term of office of each member is 5 years and the term begins when the member is sworn into office. A person may not serve more than any 2 5-year terms. A vacancy must be filled for the remainder of the unexpired term. If a person appointed to fill a vacancy serves more than 2 1/2 years of an unexpired term, that service counts as one term for purposes of the limitation on terms imposed in this subsection. The state board shall promulgate rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, which establishes the procedure and criteria by which the state board may recommend to the Governor the removal of a member from office prior to completion of the term of appointment for failure to perform the duties of office.

Sec. 2. Application. Notwithstanding Public Law 2005, chapter 16, section 2, the limitation on terms served by members of the State Board of Education contained in the Maine Revised Statutes, Title 20-A, section 401, subsection 4 as amended by this Act applies to terms served by a person who is a member of the State Board of Education on the effective date of this Act except that that person may finish that person's term.

See title page for effective date.

CHAPTER 529

S.P. 799 - L.D. 2005

An Act To Clarify the Sales Tax on Prepared Meals

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

Sec. 1. 36 MRSA §1760, sub-§6, ¶D, as amended by PL 1999, c. 502, §2, is further amended to read:

D. To residents of incorporated nonprofit church-affiliated congregate housing facilities for the elderly in which at least 75% of the units are available for leasing to eligible lower-income residents; ~~and~~

Sec. 2. 36 MRSA §1760, sub-§6, ¶E, as enacted by PL 1999, c. 502, §3, is amended to read:

E. Served by colleges to employees of the college when the meals are purchased with debit cards issued by the colleges; ~~and~~

Sec. 3. 36 MRSA §1760, sub-§6, ¶F is enacted to read:

F. Served by youth camps licensed by the Department of Health and Human Services and defined in rules adopted by the Department of Health and Human Services as a combination of program and facilities established for the primary purpose of providing an outdoor group living experience with social, recreational, spiritual and educational objectives for children and operated and used for 5 or more consecutive days during one or more seasons of the year, including day camps, residential camps and trip and travel camps.

See title page for effective date.

CHAPTER 530

S.P. 767 - L.D. 1973

An Act To Improve the Compliance and Accountability of the Child Development Services System

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

Sec. 1. 20-A MRSA §7209, sub-§1, ¶E, as enacted by PL 2005, c. 662, Pt. A, §30, is amended to read:

E. The department, in consultation with regional sites, shall develop an action plan with timelines to achieve compliance with federal or state law. The department may assume temporary ~~responsibilities~~ responsibility for operations at a regional site that fails to meet compliance requirements. The department shall report at least quarterly to the state interagency coordinating council described in 20 United States Code, Section 1441, to the state advisory panel described in 34 Code of Federal Regulations, Sections 300.167 to 300.169 and to other advisory bodies that may be appropriate about individual regional sites that are under an action plan and about individual regional sites for whose operations the department has taken temporary responsibility. These reports must describe any progress or slippage by individual regional sites in meeting compliance requirements. For an individual regional site under an action plan, the reports must describe how long the department expects the regional site to remain under an action plan. For an individual regional site for whose operation the department has taken temporary responsibility, the reports must describe when the department expects to return responsibility to the regional site.

See title page for effective date.