

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

§14249. Complaints

The ~~board~~ director may investigate complaints involving a school including any allegation of noncompliance with or violation of this subchapter and applicable rules. The ~~board~~ director shall promptly notify the Finance Authority of Maine of any complaints involving student financial assistance. After a hearing in conformance with Title 5, chapter 375, subchapter 4, the ~~board~~ director may amend or modify any license and may suspend or refuse to renew a license as provided in Title 5, section 10004.

~~A board member may not participate in any on-site evaluation, complaint, hearing or license related action that involves a school with which the board member has or has had a direct relationship as a student, instructor, administrator or director or in which the board member has a direct pecuniary interest.~~

Sec. B-42. 32 MRSA §14250, as repealed and replaced by PL 2007, c. 402, Pt. HH, §32, is amended to read:

§14250. Denial or refusal to renew school license; disciplinary action

The ~~board~~ director may deny a school license, refuse to renew a school license or impose the disciplinary sanctions authorized by Title 10, section 8003, ~~subsection~~ subsection 5-A for any of the reasons enumerated in Title 10, section 8003, subsection 5-A, paragraph A.

Sec. B-43. Transition provisions. The following provisions govern the elimination of the Board of Barbering and Cosmetology and the transfer of its authority to enforce this Act to the Department of Professional and Financial Regulation.

1. Successor. The Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation is the successor in every way to the powers, duties and functions of the Board of Barbering and Cosmetology.

2. Rules. The rules adopted by the Board of Barbering and Cosmetology remain in effect until the director adopts rules pursuant to this Act.

3. Licenses. All licenses issued by the Board of Barbering and Cosmetology remain valid and are subject to license renewal requirements.

4. Board membership. Terms of members of the Board of Barbering and Cosmetology expire on the effective date of this Act.

Sec. B-44. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 32, chapter 126, subchapter 2 in the subchapter headnote, the words "board of barbering and cosmetology" are amended to read "director's powers and duties" and the Revisor of Statutes shall

implement this revision when updating, publishing or republishing the statutes.

Sec. B-45. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF Licensing and Enforcement 0352

Initiative: Deallocates funds as a result of the Board of Barbering and Cosmetology being repealed.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$1,890)	(\$1,890)
All Other	(\$5,322)	(\$5,322)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$7,212)	(\$7,212)

See title page for effective date.

CHAPTER 370

H.P. 1037 - L.D. 1484

An Act Regarding the Central Voter Registration System

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

Sec. 1. 21-A MRSA §161, sub-§2-A, as enacted by PL 2005, c. 453, §32, is amended to read:

2-A. Maintenance of voter registration information. The registrar in each municipality shall keep the central voter registration system current at all times for the voters in the registrar's municipality. The Secretary of State is authorized to conduct maintenance of the central voter registration system. The Secretary of State shall by rule determine the program for voter list maintenance required by the National Voter Registration Act of 1993. A registrar may not cancel a voter's registration in the central voter registration system solely because the registered voter did not vote in previous elections. A voter's registration record in the central voter registration system must be cancelled by either the registrar for the voter's municipality or by the Secretary of State as follows:

A. When it is determined that a voter has registered to vote in another jurisdiction in the State, the voter registration record from the former jurisdiction must be cancelled; and

B. When it is determined that the voter has registered to vote in another jurisdiction outside of the

State, the voter registration record in the State must be cancelled.

Sec. 2. 21-A MRSA §162-A, sub-§1, as enacted by PL 1993, c. 695, §17, is amended to read:

1. Change of address confirmation notice. Except as provided in section 122, subsection 3, a registrar, or the Secretary of State when conducting maintenance of the central voter registration system, shall send by forwardable mail a change of address confirmation notice, with a postage prepaid and pre-addressed return notice, to the last known place of residence of each person the registrar or the Secretary of State has identified as having a change of address. If a registrant has moved within the municipality's jurisdiction, a registrar shall change the voter's record to reflect the new address before sending the change of address confirmation notice. If a registrant has moved outside the municipality's jurisdiction, a registrar shall also include information on voter registration procedures in the new jurisdiction.

Sec. 3. 21-A MRSA §162-A, sub-§2, as amended by PL 2005, c. 453, §33, is further amended to read:

2. Change of voter's status. A voter's registration may be cancelled in the central voter registration system if the voter confirms that the voter has moved from the municipality's jurisdiction. If a voter fails to respond to the change of address confirmation notice, the voter must be designated on the incoming voting list and in the central voter registration system as inactive. A voter who has been designated as inactive and fails to vote for the next 2 general elections must be cancelled in the central voter registration system. If a voter who is designated as inactive votes at any election prior to cancellation in the central voter registration system, the inactive designation of the voter must be changed to active. Address verification may be requested at the polls before allowing a voter designated as inactive to vote. Cancellation of a voter's registration record in the central voter registration system pursuant to this subsection may be performed by either the registrar for the voter's municipality or the Secretary of State.

Sec. 4. 21-A MRSA §196, sub-§3, as amended by PL 2007, c. 397, §2 and c. 455, §12, is repealed and the following enacted in its place:

3. Other reports. The Secretary of State shall make available to any person upon request and free of charge the following voter record information in electronic form: either the voter's first name or last name, but not both names in the same report; year of birth; enrollment status; electoral districts to include congressional district and county only; voter status; the date of registration or the date of change of the voter record if applicable; the date of the last statewide election in which each voter voted; and any special designations indicating uniformed service voters, overseas voters or township voters. The Secretary of State or the registrar also may make available to any person upon request and free of charge any other reports that do not contain the names, dates of birth or addresses of individual voters.

nations indicating uniformed service voters, overseas voters or township voters. The Secretary of State or the registrar also may make available to any person upon request and free of charge any other reports that do not contain the names, dates of birth or addresses of individual voters.

Sec. 5. 21-A MRSA §196, last ¶, as amended by PL 2007, c. 397, §2, is further amended to read:

This section is repealed September 30, ~~2009~~ 2011.

See title page for effective date.

CHAPTER 371

H.P. 1048 - L.D. 1489

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2009, June 30, 2010 and June 30, 2011

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

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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:

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Administration - Human Resources 0038