

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-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

PART N

Sec. N-1. Transfer; unexpended funds; Department of the Attorney General, Other Special Revenue Funds. Notwithstanding any other provision of law, the State Controller shall transfer \$469,000 in unexpended funds in the Department of the Attorney General, Administration - Attorney General, Other Special Revenue Funds program to the General Fund unappropriated surplus at the close of fiscal year 2010-11.

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

Effective April 14, 2011.

**CHAPTER 29
H.P. 59 - L.D. 71**

**An Act To Designate the
Official State Treat and the
Official State Dessert**

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

Sec. 1. 1 MRSA §225 is enacted to read:

§225. State treat

The whoopie pie, a baked good made of 2 cakes with a creamy frosting between them, is the official state treat.

Sec. 2. 1 MRSA §226 is enacted to read:

§226. State dessert

Blueberry pie, made with wild Maine blueberries, is the official state dessert.

See title page for effective date.

**CHAPTER 30
H.P. 154 - L.D. 177**

**An Act To Authorize Licensed
Veterinarians To Honor
Prescriptions from Other
Licensed Veterinarians**

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

Sec. 1. 32 MRSA §4876 is enacted to read:

§4876. Prescriptions of other veterinarians

A licensed veterinarian may sell and dispense the written prescription of another licensed veterinarian with respect to any prescription or administration of a

drug, medicine or nutritional substance on, for or to any animal in accordance with this chapter.

See title page for effective date.

**CHAPTER 31
H.P. 108 - L.D. 126**

**An Act To Allow a Person with
One Arm To Possess Certain
Kinds of Prohibited Knives**

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

Sec. 1. 17-A MRSA §1055, sub-§3 is enacted to read:

3. Notwithstanding subsection 1, a person who has only one arm may possess and transport a knife described under subsection 1 that has a blade 3 inches or less in length.

See title page for effective date.

**CHAPTER 32
H.P. 81 - L.D. 95**

**An Act To Repeal the
Restriction on Serving or
Executing Civil Process on
Sunday**

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

Sec. 1. 14 MRSA §705, as amended by PL 1995, c. 694, Pt. D, §15 and affected by Pt. E, §2, is repealed.

See title page for effective date.

**CHAPTER 33
H.P. 110 - L.D. 128**

**An Act To Provide Access to
State Forms**

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

Sec. 1. 5 MRSA §58 is enacted to read:

§58. Access to forms

Every state agency, department, board, office, commission, institution, authority or public instrumentality that requires filing of information by the public shall make a paper copy of any required filing form

available, upon request, by regular mail at no cost to the requestor.

See title page for effective date.

CHAPTER 34

H.P. 179 - L.D. 202

An Act To Modify Child Support Enforcement Procedures

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

Sec. 1. 14 MRSA §3128-A, sub-§3, as enacted by PL 1995, c. 419, §8, is amended to read:

3. Duration. The order continues in effect for ~~6 months~~ one year or until the obligor finds work, whichever occurs first.

Sec. 2. 19-A MRSA §2006, sub-§5, ¶C, as amended by PL 2009, c. 290, §13, is further amended to read:

C. The subsistence needs of the nonprimary care provider must be taken into account when establishing the parental support obligation. If the annual gross income of the nonprimary care provider is less than the federal poverty guideline, the nonprimary care provider's weekly parental support obligation ~~for each child for whom a support award is being established or modified~~ may not exceed 10% of the nonprimary care provider's weekly gross income, regardless of the amount of the parties' combined annual gross income. The child support table includes a self-support reserve for obligors earning \$22,800 or less per year. If, within an age category, the nonprimary care provider's annual gross income, without adjustments, is in the self-support reserve for the total number of children for whom support is being determined, the amount listed in the self-support reserve multiplied by the number of children in the age category is the nonprimary care provider's support obligation for the children in that age category, regardless of the parties' combined annual gross income. The nonprimary care provider's proportional share of childcare, health insurance premiums and extraordinary medical expenses are added to this basic support obligation. This paragraph does not apply if its application would result in a greater support obligation than a support obligation determined without application of this paragraph.

Sec. 3. 19-A MRSA §2369, first ¶, as amended by PL 2001, c. 264, §12, is further amended to read:

The receipt of public assistance for a child constitutes an assignment by the recipient to the department of all rights to support for the child and spousal support, ~~including any support unpaid at the time of assignment, as long as public assistance is paid that accrue during the period that the recipient receives public assistance for the child.~~

See title page for effective date.

CHAPTER 35

H.P. 336 - L.D. 443

An Act To Require Prompt MaineCare Decisions on Care for Children with Life-threatening Conditions

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

Sec. 1. 22 MRSA §3174-QQ is enacted to read:

§3174-QQ. Care for children with life-threatening conditions

The department shall make decisions approving or disapproving care or services for children with life-threatening conditions who are members in the MaineCare program within one working day of receiving a complete urgent request or order from the health care provider or providers for the child.

See title page for effective date.

CHAPTER 36

H.P. 317 - L.D. 391

An Act Concerning Models for Teacher and Principal Evaluations

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

Sec. 1. 20-A MRSA §13802, sub-§1, as amended by PL 2009, c. 646, §2, is further amended to read:

1. Department to propose models. The department shall ~~establish~~ propose models for evaluation of the professional performance of teachers and principals employed in a school administrative unit within the State. The models must include multiple measures.

Sec. 2. 20-A MRSA §13802, sub-§2, as amended by PL 2009, c. 646, §2, is further amended to read: