

MAINE STATE LEGISLATURE

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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

the investigation of suspected abuse, neglect or exploitation in licensed, certified and registered facilities and programs that care for children and adults; 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. 16 MRSA §614, sub-§3, ¶B-1 is enacted to read:

B-1. The division of licensing and regulatory services within the Department of Health and Human Services for use in the investigation of suspected abuse, neglect or exploitation in licensed, certified and registered facilities and programs that provide care to children and adults;

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect July 1, 2011.

Effective July 1, 2011.

CHAPTER 53

H.P. 560 - L.D. 753

**An Act To Establish
Juneteenth Independence Day**

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

Sec. 1. 1 MRSA §150-F is enacted to read:

§150-F. Juneteenth Independence Day

The Governor shall annually issue a proclamation designating the 3rd Saturday in June as Juneteenth Independence Day to commemorate the day freedom was proclaimed to all slaves in the South by Union General Gordon Granger in 1865, 2 1/2 years after the Emancipation Proclamation was signed.

See title page for effective date.

CHAPTER 54

H.P. 437 - L.D. 554

**An Act To Amend the
Telecommunications Education
Access Fund**

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

Sec. 1. 35-A MRSA §7104-B, sub-§5, as amended by PL 2001, c. 522, §2, is further amended to read:

5. Guidelines for funding. The commission shall allocate money from the fund using the following guidelines:

A. To ensure a basic level of connectivity for all of the qualified schools and qualified libraries in the State;

B. To ensure that all qualified schools, qualified libraries and the Raymond H. Fogler Library at the University of Maine are capable of using the advanced technology equipment obtained through the fund;

C. To ensure that more technologically sophisticated equipment is available to students in grades 9 to 12 and in larger qualified libraries in the State;

D. To provide for necessary equipment to use the services obtained through the fund;

E. To provide for internal connections necessary to use the services obtained through the fund;

F. To provide training to teachers so that they may assist and educate their students in the use of the advanced technology equipment;

G. To provide for the establishment of computer technology training programs in schools to provide training to students in areas such as, but not limited to, electronic commerce, Internet proficiency and World Wide Web-enabled systems; and

H. To provide for electronic database content to be used for the purposes of accessing information by schools and libraries.

~~A minimum of 25% of each annual program budget must be devoted to targeted projects that are innovative and technologically advanced.~~

See title page for effective date.

CHAPTER 55

H.P. 541 - L.D. 710

**An Act To Amend the Laws
Governing the Duties of the
Director of the Governor's
Office of Energy Independence
and Security**

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

Sec. 1. 2 MRSA §9, sub-§3, ¶C, as amended by PL 2009, c. 655, Pt. C, §1, is further amended to read:

C. In consultation with the Efficiency Maine Trust Board, established in Title 5, section 12004-G, subsection 10-C, prepare and submit a comprehensive state energy plan to the Governor and the Legislature by January 15, 2009 and submit an updated plan every 2 years thereafter. Within the comprehensive state energy plan, the director shall identify opportunities to lower the total cost of energy to consumers in this State and transmission capacity and infrastructure needs and recommend appropriate actions to lower the total cost of energy to consumers in this State and facilitate the development and integration of new renewable energy generation within the State and support the State's renewable resource portfolio requirements specified in Title 35-A, section 3210 and wind energy development goals specified in Title 35-A, section 3404;

Sec. 2. 2 MRSA §9, sub-§3, ¶J, as enacted by PL 2007, c. 656, Pt. C, §1, is amended to read:

J. Take action as necessary to carry out the goals and objectives of the state energy plan prepared pursuant to paragraph C including lowering the total cost of energy to consumers in this State.

See title page for effective date.

CHAPTER 56

S.P. 208 - L.D. 677

An Act Regarding the Determination of Distance for the Purposes of the Gambling Control Board Laws

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

Sec. 1. 8 MRSA §1065 is enacted to read:

§1065. Distances

For the purposes of this chapter, unless otherwise provided in the laws relating to the Gambling Control Board, distances are determined by measuring along the most commonly used roadway, as determined by the Department of Transportation.

See title page for effective date.

CHAPTER 57
H.P. 244 - L.D. 302

An Act To Allow an Angler To Gift a Freshwater Fish to a Person Who Is Not Licensed To Fish

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

Sec. 1. 12 MRSA §12613 is enacted to read:

§12613. Possessing gift fish

1. Prohibition. A person who does not possess a valid fishing license issued under chapter 913 or this chapter may not possess a fish or any part of a fish given to that person except a person may possess in that person's domicile a gift fish that was lawfully caught and is plainly labeled with the name of the person who gave the fish and the year, month and day the fish was caught by that person. This section does not apply to baitfish.

2. Penalty. The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this section after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

CHAPTER 58
H.P. 211 - L.D. 258

An Act Relating to Access to Vital Records

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

Sec. 1. 22 MRSA §2706, as amended by PL 2009, c. 601, §12, is further amended to read:

§2706. Disclosure of vital records

Custodians of certificates and records of birth, marriage and death ~~may~~ shall permit inspection of records, or issue certified or noncertified copies of certificates or records, or any parts thereof, when satisfied that the applicant ~~therefor~~ has a direct and legitimate interest in the matter recorded, the decision of the state registrar or the clerk of a municipality being subject to review by the Superior Court, under the limitations of this section.