

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

Sec. 1. 5 MRSA §8053, sub-§6, as amended by PL 2009, c. 256, §3, is further amended to read:

6. Electronic publication. In addition to the printed publication required in subsection 5, the Secretary of State shall maintain a publicly accessible website for posting the notices of all proposed and adopted rules. The contents of the notice for electronic publication are pursuant to subsection 3. An agency, on its publicly accessible website, shall either post its proposed and adopted rules or provide a link to the proposed or adopted rules posted on the Secretary of State's website. Notice of each rule-making proceeding must be published on the Secretary of State's website 17 to 24 days prior to the public hearing on the proposed rule or at least 30 days prior to the last date on which views and arguments may be submitted to the agency for consideration if no public hearing was scheduled.

See title page for effective date.

CHAPTER 327

H.P. 1071 - L.D. 1456

An Act Regarding the Right of Native Americans To Be Issued Hunting, Trapping and Fishing Licenses

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 provisions of this Act must take effect immediately to ensure that the Department of Inland Fisheries and Wildlife has sufficient time to implement the changes in this Act to the complimentary licenses issued to Maine's federally recognized Indian tribes before the start of this year's hunting season; 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. 12 MRSA §10853, sub-§8, as amended by PL 2007, c. 195, §1, is further amended to read:

8. Members of federally recognized nation, band or tribe. The commissioner shall issue a hunting, trapping and fishing license, including permits, stamps and other permission needed to hunt, trap and

fish, to a ~~Native American person~~, 10 years of age or older, who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs that is valid for the life of that ~~Native American person~~ without any charge or fee if the ~~Native American person~~ presents a certificate certification from the respective reservation governor, or the Aroostook Micmac Council ~~or "Wesiget Sipu"~~ stating that the person described is a ~~Native American and a~~ an enrolled member of that a federally recognized nation, band or tribe listed in this subsection. Holders of these licenses are subject to this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit.

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

Effective June 14, 2011.

CHAPTER 328

H.P. 121 - L.D. 139

An Act To Reduce the Time Period after Which a Member Municipality May Petition To Withdraw from a Regional School Unit

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

Sec. 1. 20-A MRSA §1466, sub-§1, as enacted by PL 2009, c. 580, §9, is amended to read:

1. Petition. ~~The Beginning January 1, 2012, the~~ residents of a municipality that has been a member of a regional school unit for at least ~~3 years~~ 30 months may petition to withdraw from the regional school unit in accordance with this subsection.

A. Ten percent of the number of voters in the municipality who voted at the last gubernatorial election must sign the petition to withdraw from the regional school unit.

B. At least 10 days before the special election called pursuant to this paragraph, the municipal officers of the municipality within the regional school unit shall hold a posted or otherwise advertised public hearing on the petition. The municipal officers shall call and hold a special election in the manner provided for the calling and holding of town meetings or city elections to vote on the withdrawal from the regional school unit.

C. The petition to withdraw from the regional school unit must be approved by secret ballot by a majority vote of the voters present and voting be-

fore it may be presented to the regional school unit board and the commissioner. Voting in towns must be conducted in accordance with Title 30-A, sections 2528 and 2529, even if the towns have not accepted the provisions of Title 30-A, section 2528, and voting in cities must be conducted in accordance with Title 21-A.

For the purposes of this subsection, the ~~3-year~~ 30-month period after which a petition to withdraw may be considered in a member municipality of a school administrative district that was reformulated as a regional school unit pursuant to Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12 is ~~3-years~~ 30 months after the original operational date of the school administrative district; and the ~~3-year~~ 30-month period after which a petition to withdraw may be considered in a member municipality of a school administrative district that did not reformulate as a regional school unit but that became a member entity of an alternative organizational structure is ~~3 years~~ 30 months after the operational date of the alternative organizational structure.

Sec. 2. Effective date. This Act takes effect January 1, 2012.

Effective January 1, 2012.

**CHAPTER 329
S.P. 212 - L.D. 723**

**An Act To End Homelessness
for Veterans in Maine**

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

Sec. 1. 37-B MRSA §513 is enacted to read:

§513. Homelessness prevention coordination

The director shall establish a partnership with a national, human services-based volunteer organization to coordinate efforts to remedy and prevent homelessness among veterans in this State. The volunteer organization must have as its core programs addressing homelessness and veterans' services and have been active as a human services-based volunteer organization for a minimum of 30 years. The director may accept donations from outside sources and federal funding to accomplish the priorities of the partnership. If federal or outside funding is available, the priorities of this partnership, listed in order of priority, include, but are not limited to:

1. Identification. Identifying homeless veterans in the State;

2. Outreach events. Conducting annual outreach events, targeted to reach the maximum number of vet-

erans in need, to disseminate information on resources and services available to assist homeless veterans; and

3. Funding homes. Identifying and securing temporary or permanent living space for veterans within the veterans' communities.

See title page for effective date.

**CHAPTER 330
S.P. 480 - L.D. 1519**

**An Act To Allow the Board of
Dental Examiners To Issue
Dental School Faculty Licenses**

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

Sec. 1. 32 MRSA §1086-A is enacted to read:

§1086-A. Dental school faculty license

1. Dental school faculty license. The board may issue a dental school faculty license to an applicant who teaches:

A. Dentistry, dental hygiene or denturism in this State as part of a clinical and didactic program for professional education for dental students and dental residents accredited by the American Dental Association Commission on Dental Accreditation or a successor organization approved by the board;

B. Dental hygiene in this State as part of a clinical and didactic program for professional education for dental hygiene students and dental hygiene residents accredited by the American Dental Association Commission on Dental Accreditation or a successor organization approved by the board; or

C. Denturism in this State as part of a board-approved clinical and didactic program for professional education for denturism students.

A dental school faculty license allows the licensee to practice only within the dental school setting, dental hygiene school setting or denturism school setting, including any satellite locations approved by the board.

2. Eligibility. To qualify for licensure under this section, an applicant must:

A. Hold a current dental, dental hygiene or denturism license in another state or a Canadian province and demonstrate, to the satisfaction of the board, full compliance with the requirements of that other jurisdiction's dental laws; and

B. Submit credentials, satisfactory to the board, including a recommendation letter from an employing school of dentistry, dental hygiene or den-