

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

DEPARTMENT TOTAL -	\$4,568,443	\$33,308,191
ALL FUNDS		

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

Effective February 23, 2012, unless otherwise indicated.

CHAPTER 478

H.P. 1216 - L.D. 1607

An Act To Preserve the Integrity of the Maine Certified Public Accountant Examination

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to strengthen the requirements for taking the certified public accountant examination as soon as possible; 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Sec. 1. 32 MRSA §12228, sub-§3, ¶C, as repealed and replaced by PL 2007, c. 695, Pt. A, §37, is amended to read:

C. An examination applicant who has successfully completed the basic courses in accounting and auditing required by paragraph B and who expects to complete a minimum 4-year baccalaureate or higher degree required in paragraph B within 120 days following the examination is eligible to take the examination. Grades may not be released, nor may credit for the examination or any part of the examination be given to the applicant unless the degree required in paragraph B is completed within 120 days following the examination or within such time as the board in its sole discretion may determine.

Sec. 2. Application. This Act applies to applications to take the certified public accountant exami-

nation made on or after the effective date of this Act. Applicants who sat for any part of the examination prior to the effective date of this Act may continue to sit for any remaining part or parts of the examination prior to successfully completing the basic courses in accounting and auditing required by the Maine Revised Statutes, Title 32, section 12228, subsection 3, paragraph B, so long as all parts of the examination are passed within 18 months of the date the candidate first sat for any section of the examination. Applicants who sat for any part of the examination prior to the effective date of this Act but fail to pass all parts of the examination within 18 months of the date the candidate first sat for any section of the examination must successfully complete the basic courses in accounting and auditing required by Title 32, section 12228, subsection 3, paragraph B before taking any additional parts of the examination.

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

Effective February 29, 2012.

CHAPTER 479

H.P. 426 - L.D. 543

An Act To Protect Legislative Intent in Rulemaking

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

Sec. 1. 5 MRSA §8053, sub-§1, ¶B, as amended by PL 2003, c. 207, §1, is further amended to read:

B. Any person who has filed within the past year a written or electronic request with the agency for notice of rulemaking; ~~and~~

Sec. 2. 5 MRSA §8053, sub-§1, ¶C, as amended by PL 1995, c. 373, §4, is further amended to read:

C. Any trade, industry, professional, interest group or regional publication that the agency considers effective in reaching the persons affected; ~~and~~

Sec. 3. 5 MRSA §8053, sub-§1, ¶E is enacted to read:

E. The primary sponsor of the legislation that was enacted and authorized the rulemaking, as long as the legislation was enacted within the previous 2 years.

Sec. 4. 5 MRSA §8053-A, sub-§§5 and 6 are enacted to read: