

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

Sec. 1. 20-A MRSA §4710-A is enacted to read:

§4710-A. Agricultural studies

1. Agricultural studies. Agricultural studies may be taught in and infused or integrated into the curriculum of public and private elementary and secondary schools. Agricultural studies may address, but need not be limited to:

A. The importance of agriculture in the State's history and development;

B. The connections between the farm and daily life;

C. The economics of agriculture and its importance to the State's economy;

D. The importance of knowing where food comes from and the ecology of growing food; and

E. The importance of eating healthy food and its role in combating childhood obesity.

A school offering agricultural studies may make use of resources and materials developed and provided by the Commissioner of Agriculture, Conservation and Forestry and the Maine Agriculture in the Classroom Council in accordance with Title 7, chapter 8-D.

Sec. 2. Agricultural studies instruction. To the extent existing resources allow, the Commissioner of Education, in consultation with the Commissioner of Agriculture, Conservation and Forestry and the Maine Agriculture in the Classroom Council described in the Maine Revised Statutes, Title 7, section 242, shall seek to ensure that schools and teachers in this State are aware of the agricultural education materials, resources and training available pursuant to Title 7, chapter 8-D and shall encourage their use in agricultural studies in schools.

See title page for effective date.

CHAPTER 107

H.P. 446 - L.D. 654

**An Act Regarding the
Maximum Rate of Speed on the
Interstate Highway System**

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

Sec. 1. 29-A MRSA §2073, sub-§1, ¶C, as amended by PL 2011, c. 415, §2, is further amended to read:

C. Make an adjustment of maximum rates of speed. An adjustment under this paragraph is exempt from the provisions of the Maine Administrative Procedure Act.

The commissioner may not set maximums that exceed 60 miles per hour or, on the interstate system or other divided controlled-access highways, ~~65 75 miles per hour or 75 miles per hour on the Interstate Highway System from the City of Old Town to the Town of Houlton.~~

The commissioner may not set maximums for the Maine Turnpike.

Sec. 2. 29-A MRSA §2074, sub-§3-A, as amended by PL 2011, c. 415, §3, is further amended to read:

3-A. Minimum fine. A person who operates a motor vehicle on the Maine Turnpike or the Interstate Highway System at a speed that exceeds the posted speed of ~~65 miles per hour or of 75 miles per hour on the Interstate Highway System from the City of Old Town to the Town of Houlton~~ by less than 30 miles per hour commits a traffic infraction punishable by a fine of not less than \$50.

See title page for effective date.

CHAPTER 108

S.P. 39 - L.D. 88

**An Act To Update the Maine
HIV Advisory Committee**

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

Sec. 1. 5 MRSA §19202, sub-§1-B, ¶D, as enacted by PL 2009, c. 203, §2 and affected by §8, is amended to read:

D. Prepare and present, in person, an annual report on the status of HIV in the State to the Office of the Governor and the joint standing committee of the Legislature having jurisdiction over health and human services matters by ~~January 31st~~ March 1st of each year.

Sec. 2. 5 MRSA §19202, sub-§2-B, ¶B, as enacted by PL 2009, c. 203, §4 and affected by §8, is repealed and the following enacted in its place:

B. The committee shall identify 12 additional voting representatives for membership as described in this paragraph, with broad input from persons with HIV or at risk for HIV infection or from organizations with extensive participation of persons with HIV, organizations interested in and working on HIV and AIDS prevention and health, other community-based organizations providing HIV and AIDS services, rural health centers and the public:

(1) Four persons living with HIV/AIDS;

(2) Two representatives of populations most affected by HIV/AIDS in the State;

(3) Two providers of HIV-related prevention or social services;

(4) Two representatives of the public health community who have experience in the prevention of and the care and treatment of persons with HIV or infectious diseases; and

(5) Two persons chosen by the committee because of the positive impact the persons' expertise or experience will have on the work of the committee.

See title page for effective date.

CHAPTER 109

H.P. 479 - L.D. 687

An Act To Amend the Law Concerning Protection from Abuse Orders To Include Pets

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

Sec. 1. 19-A MRSA §4006, sub-§5-A is enacted to read:

5-A. Interim relief; care, custody or control of animals. The court may make an order concerning the care, custody or control of any animal owned, possessed, leased, kept or held by either party or a minor child residing in the household and may enjoin the defendant from injuring or threatening to injure any such animal.

Sec. 2. 19-A MRSA §4007, sub-§1, ¶E-1 is enacted to read:

E-1. Directing the defendant to refrain from injuring or threatening to injure any animal owned, possessed, leased, kept or held by either party or a minor child residing in the household;

See title page for effective date.

CHAPTER 110

H.P. 536 - L.D. 785

An Act To Ensure the Periodic Review and Revision of Statutory Provisions

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

Sec. 1. 1 MRSA c. 33 is enacted to read:

CHAPTER 33

PERIODIC REVIEW AND REVISION OF STATUTORY PROVISIONS

§2701. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Agency. "Agency" has the same meaning as in Title 3, section 953, subsection 1.

2. Committee of jurisdiction. "Committee of jurisdiction" has the same meaning as in Title 3, section 953, subsection 2.

3. Independent agency. "Independent agency" has the same meaning as in Title 3, section 953, subsection 3.

4. Program evaluation report. "Program evaluation report" means the report submitted to the Legislature by an agency or an independent agency in accordance with Title 3, section 956.

§2702. Report to committee

The Office of the Revisor of Statutes and the Office of Policy and Legal Analysis, referred to in this section as "the offices," shall review each program evaluation report submitted to the Legislature under Title 3, chapter 35, and any legislation recommended by a committee of jurisdiction as a result of the committee's review, analysis and evaluation of the program evaluation report. The offices shall identify those statutory provisions that are:

1. Identified for review. Identified, pursuant to Title 3, section 956, subsection 2, paragraph O, in a program evaluation report as potentially requiring legislative review regarding the necessity of amendment to align the statute with federal law, other state law or judicial decisions; and

2. Not addressed in legislation. Not addressed in legislation recommended by a committee of jurisdiction as a result of the committee's review, analysis and evaluation of the program evaluation report.

No later than November 1st prior to each first regular session of the Legislature, the offices shall develop a report that lists the provisions identified under this section and shall submit the report to each joint standing committee of the Legislature having jurisdiction over any of the statutory provisions identified under this section and to the joint standing committee of the Legislature having jurisdiction over judiciary matters.

§2703. Committee authority

During the first regular session of the Legislature following submission of a report pursuant to section 2702, each joint standing committee of the Legislature