

# 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.**

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**Augusta, Maine**  
**2013**

7. **Other administrative costs.** Other administrative costs, including program promotion and related publicity, mailing and postage and telephone expenses for courses and programs described in subsections 2 to 5, 8 and 9, are reimbursed at the rate of 50% of these costs. The cost of interpreters for deaf students and deaf adult learners and the cost of translators for students and adult learners with limited English proficiency are reimbursed at the rate of 75% of these costs but only as a payment of last resort after the otherwise valid obligations of insurers or other 3rd parties to provide or pay for these services have been exhausted.

#### PART D

**Sec. D-1. 20-A MRSA §13025** is enacted to read:

#### **§13025. Investigations**

When conducting an investigation relating to the certification of teachers and other professional personnel under this chapter and rules of the state board, the commissioner may issue subpoenas for education records relevant to that investigation.

See title page for effective date.

### CHAPTER 168 S.P. 198 - L.D. 508

#### **An Act To Remove the Disqualification from Obtaining a Liquor License for a Law Enforcement Officer Who Does Not Directly Benefit Financially**

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

**Sec. 1. 28-A MRSA §601, sub-§2, ¶F**, as amended by PL 1995, c. 192, §1, is repealed and the following enacted in its place:

F. The applicant is a law enforcement officer or if a law enforcement officer benefits directly from the issuance of the license;

See title page for effective date.

### CHAPTER 169 H.P. 404 - L.D. 585

#### **An Act To Require the Development of a Statewide Approach to Seaweed Management**

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

**Sec. 1. 12 MRSA §6807**, as reallocated by RR 1999, c. 1, §19, is amended to read:

#### **§6807. Seaweed harvesting rules**

The commissioner may adopt rules regulating the harvest of seaweed on a species-specific basis, including, but not limited to, the total number of licenses that may be issued, the designation of a harvesting season or seasons, the quantity of the resource that may be harvested in a season, areas that may be open or closed to harvest, the designation of sectors, limitations on harvest by sector, establishment of a process for allocation to sectors and gear and techniques that may be used in harvesting. Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

**Sec. 2. Statewide fisheries management plan for seaweed.** The Commissioner of Marine Resources shall develop a statewide fisheries management plan for seaweed pursuant to the Maine Revised Statutes, Title 12, section 6171, subsection 2-A and shall present that plan for review and comment to the Joint Standing Committee on Marine Resources no later than January 31, 2014. After review of the plan, the committee may report out a bill related to the plan to the Second Regular Session of the 126th Legislature.

See title page for effective date.

### CHAPTER 170 S.P. 236 - L.D. 645

#### **An Act To Allow the Adjustment of the Assessment Rate for the Rural Medical Access Program**

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

**Sec. 1. 24-A MRSA §6305, sub-§3**, as enacted by PL 2005, c. 122, §7, is amended to read:

**3. Assessment rates; program fund balance.** For assessment years prior to July 1, 2006, the assessment is 1.25% of premium. For assessment years

commencing July 1, 2006 and after, the assessment is ~~.75%~~ 0.75% of premium unless adjusted pursuant to ~~this subsection~~ rules adopted in accordance with subsection 4. The assessment rate is intended to result in collections no greater than \$500,000 per assessment year. ~~When the program fund balance is \$50,000 or less, the assessment rate must increase to 1% of premium. When the program fund balance is more than \$50,000, the assessment rate must decrease to .75% of premium.~~ The superintendent shall notify affected parties of any assessment rate adjustment and the effective date of that adjustment.

The program fund balance may be used to pay assistance to qualified eligible physicians in prior years for which there were insufficient funds. If all prior years' eligible qualified physicians have received assistance, any excess funds must be carried forward to subsequent plan years as part of the program fund balance. Excess funds must be applied first to the assessment year commencing July 1, 1998 and then to each successive assessment year.

For the purposes of this section, "program fund balance" means the total funds collected in excess of assistance paid for all years.

**Sec. 2. 24-A MRSA §6305, sub-§4** is enacted to read:

**4. Establishment of assessment rate by rule.** The superintendent may adopt rules pursuant to section 6311 establishing an assessment rate or a methodology for calculating an assessment rate designed to provide an adequate and reliable funding source for the program and allow for the orderly and prudent drawdown of any long-term fund balance in excess of reasonable program needs. The assessment rate may not result in expected collections exceeding \$500,000 per assessment year and may not exceed 0.75% of premium unless the program fund balance is \$50,000 or less, in which case the assessment rate must be set to a higher rate but may not exceed 1% of premium.

**Sec. 3. 24-A MRSA §6311**, as enacted by PL 1989, c. 931, §5 and amended by PL 2003, c. 689, Pt. B, §7, is further amended to read:

#### §6311. Rules

The superintendent and the Commissioner of Health and Human Services may adopt rules in accordance with the Maine Administrative Procedure Act to carry out this chapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 171 H.P. 459 - L.D. 667

### An Act To Increase Funding to Schools

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

**Sec. 1. 20-A MRSA §15690, sub-§1, ¶D**, as amended by PL 2013, c. 1, Pt. C, §6, is repealed and the following enacted in its place:

D. In any fiscal year in which the sum of the State's contribution toward the cost of the components of essential programs and services, exclusive of federal funds that are provided and accounted for in the cost of the components of essential programs and services, falls below the State's target of 55% of the cost of the components of essential programs and services, the commissioner shall calculate the percentage of the State's 55% share that is funded by state appropriations and, notwithstanding any other provision of this paragraph, a school administrative unit may not have the amount of its state subsidy limited or reduced under paragraph C if the school administrative unit:

(1) In fiscal year 2013-14, raises at least the same percentage of its required local contribution to the total cost of funding public education from kindergarten to grade 12, including state-funded debt service, as the State's contribution toward its 55% share of the cost of the components of essential programs and services;

(2) In fiscal year 2014-15, raises the same percentage of its required local contribution to the total cost of funding public education from kindergarten to grade 12, including state-funded debt service, as the State's contribution toward its 55% share of the cost of the components of essential programs and services plus 33% of the difference between that percentage and 100% of its required local contribution; and

(3) In fiscal year 2015-16, raises the same percentage of its required local contribution to the total cost of funding public education from kindergarten to grade 12, including state-funded debt service, as the State's contribution toward its 55% share of the cost of the components of essential programs and services plus 66% of the difference between that percentage and 100% of its required local contribution.