

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

4. Change of residence. When a voter changes his residence from one municipality to another and establishes a new voting residence there, ~~he that voter~~ may enroll in any party and vote at a caucus, convention or primary election, ~~or file a petition as a candidate for nomination by primary election,~~ regardless of ~~his that voter's~~ previous enrollment.

See title page for effective date.

**CHAPTER 174
H.P. 867 - L.D. 1228**

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2013-14

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2013-14 is as follows:

Audit - Fiscal Administration	\$212,810
Education	12,069,217
Forest Fire Protection	150,000
Human Services - General Assistance	55,750
Property Tax Assessment - Operations	948,231

Maine Land Use Planning Commission - Operations	528,612
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TOTAL STATE AGENCIES	\$13,964,620
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County Reimbursements for Services:

Aroostook	\$1,025,114
Franklin	1,258,685
Hancock	160,407
Kennebec	10,056
Oxford	877,519
Penobscot	996,500
Piscataquis	887,371
Somerset	1,412,944
Washington	812,645

TOTAL COUNTY SERVICES	\$7,441,241
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COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND

Tax Increment Financing Payments	\$3,510,000
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TOTAL REQUIREMENTS	\$24,915,860
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COMPUTATION OF ASSESSMENT

Requirements	\$24,915,860
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Less Deductions:

General -

State Revenue Sharing	\$0
Homestead Reimbursement	90,300
Miscellaneous Revenues	75,000
Transfer from undesignated fund balance	2,750,000

TOTAL GENERAL DEDUCTIONS	\$2,915,300
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Educational -

Land Reserved Trust	\$73,400
Tuition/Travel	119,000
Miscellaneous	17,500
Special - Teacher Retirement	191,900

TOTAL EDUCATION DEDUCTIONS	\$401,800
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TOTAL DEDUCTIONS	\$3,317,100
TAX ASSESSMENT	\$21,598,791

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

Effective May 30, 2013.

**CHAPTER 175
H.P. 884 - L.D. 1250**

**An Act To Revise Maine's
Unemployment Compensation
Laws**

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

Sec. 1. 26 MRSA §1221, sub-§3, ¶A, as amended by PL 2005, c. 40, §1, is further amended to read:

A. At the time the status of an employing unit is ascertained to be that of an employer, the commissioner shall establish and maintain, until the employer status is terminated, for the employer an experience rating record, to which are credited all the contributions that the employer pays on the employer's own behalf. This chapter may not be construed to grant any employer or individuals in the employer's service prior claims or rights to the amounts paid by the employer into the fund. Benefits paid to an eligible individual under the Maine Employment Security Law must be charged against the experience rating record of the claimant's most recent subject employer or to the General Fund if the otherwise chargeable experience rating record is that of an employer whose status as such has been terminated; except that no charge may be made to an individual employer but must be made to the General Fund if the commission finds that:

- (1) The claimant's separation from the claimant's last employer was for misconduct in connection with the claimant's employment or was voluntary without good cause attributable to the employer;
- (2) The claimant has refused to accept reemployment in suitable work when offered by a previous employer, without good cause attributable to the employer;
- (3) Benefits paid are not chargeable against any employer's experience rating record in

accordance with section 1194, subsection 11, paragraphs B and C;

(5) Reimbursements are made to a state, the Virgin Islands or Canada for benefits paid to a claimant under a reciprocal benefits arrangement as authorized in section 1082, subsection 12, as long as the wages of the claimant transferred to the other state, the Virgin Islands or Canada under such an arrangement are less than the amount of wages for insured work required for benefit purposes by section 1192, subsection 5;

(6) The claimant was hired by the claimant's last employer to fill a position left open by a Legislator given a leave of absence under chapter 7, subchapter 5-A, and the claimant's separation from this employer was because the employer restored the Legislator to the position after the Legislator's leave of absence as required by chapter 7, subchapter 5-A; ~~or~~

(7) The claimant was hired by the claimant's last employer to fill a position left open by an individual who left to enter active duty in the United States military, and the claimant's separation from this employer was because the employer restored the military serviceperson to the person's former employment upon separation from military service; ~~or~~

(8) The claimant was hired by the claimant's last employer to fill a position left open by an individual given a leave of absence for family medical leave provided under Maine or federal law, and the claimant's separation from this employer was because the employer restored the individual to the position at the completion of the leave.

See title page for effective date.

**CHAPTER 176
H.P. 917 - L.D. 1290**

**An Act To Encourage High
School Students To Complete
Community Service**

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

Sec. 1. 20-A MRSA §4722, sub-§2-A, as enacted by PL 2009, c. 313, §16, is amended to read:

2-A. Implementation of multiple pathways and opportunities. Students may demonstrate achievement of the standards through multiple pathways as set