

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

B. If the commissioner does not approve the innovation plan, the commissioner shall provide to the school board a written explanation of the basis for the decision. The school board may submit an amended innovation plan for the commissioner's approval at any time.

Nothing in this subsection may prevent or may be construed to prevent the commissioner from approving an innovation plan to create an innovative public school district when the innovation plan is created by a school board for a school administrative unit that operates only one innovative, autonomous public school or teacher-led school.

Sec. 4. 20-A MRSA §6213, sub-§14, ¶A, as enacted by PL 2011, c. 446, §2, is amended to read:

A. Following review of a school's performance, if the school board finds that the academic performance of students enrolled in the school is not improving at a sufficient rate, the school board may revoke the designation of the school as an innovative, autonomous public school or teacher-led school.

Sec. 5. 20-A MRSA §6213, sub-§15, ¶B, as enacted by PL 2011, c. 446, §2, is amended to read:

B. The number of innovative, autonomous public schools, ~~the number of teacher-led schools and~~ the number of innovative public school zones and innovative public school districts, including the number of schools in each zone and district and the number of students served in the schools and zones, expressed as a total number and as a percentage of the students enrolled in the district;

Sec. 6. 26 MRSA §962, sub-§7, ¶A, as amended by PL 2011, c. 446, §3, is further amended to read:

A. Any officer, board, commission, council, committee or other persons or body acting on behalf of:

- (1) Any municipality or any subdivision of a municipality;
- (2) Any school, water, sewer, fire or other district;
- (3) The Maine Turnpike Authority;
- (5) Any county or subdivision of a county;
- (6) The Maine Public Employees Retirement System;
- (7) The Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; or
- (8) Any innovative, autonomous public school, innovative public school district ~~or~~, innovative public school zone or teacher-led

school created and operated under Title 20-A, section 6212 or 6213;

See title page for effective date.

CHAPTER 304

H.P. 587 - L.D. 836

An Act Regarding the Use of Mobile Poultry Processing Units

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

Sec. 1. 22 MRSA §2511, sub-§§26-A and 26-B are enacted to read:

26-A. Locally owned grocery store. "Locally owned grocery store" means a grocery store at least 51% of which is owned by one or more residents of the State and that has a gross floor area of 25,000 square feet or less.

26-B. Locally owned restaurant. "Locally owned restaurant" means an eating establishment at least 51% of which is owned by one or more residents of the State and that is not a chain restaurant pursuant to section 2491, subsection 2-B.

Sec. 2. 22 MRSA §2511, sub-§29-A is enacted to read:

29-A. Mobile poultry processing unit. "Mobile poultry processing unit" means a poultry slaughterhouse that meets the structural, operational and licensing requirements of a mobile poultry processing unit under the federal acts and that is operated by a person licensed under section 2514.

Sec. 3. 22 MRSA §2514, sub-§1, ¶¶K and L, as enacted by PL 1999, c. 777, §1, are amended to read:

K. Handlers of dead, dying, disabled or diseased animals; ~~and~~

L. Any other category that the commissioner may by rule establish; ~~and~~

Sec. 4. 22 MRSA §2514, sub-§1, ¶M is enacted to read:

M. Mobile poultry processing unit operators.

Sec. 5. 22 MRSA §2517-C, sub-§2, ¶¶C and D, as enacted by PL 2009, c. 354, §3, are amended to read:

C. Delivered to a consumer's home by the poultry producer whose name and license number appear on the label under subsection 3; ~~or~~

D. Received by a person who is a member of a community supported agriculture farm that has a

direct marketing relationship with the poultry producer. For the purposes of this section, "community supported agriculture" means an arrangement whereby individual consumers have agreements with a farmer to be provided with food or other agricultural products produced on that farm;

Sec. 6. 22 MRSA §2517-C, sub-§2, ¶¶E and F are enacted to read:

E. To a locally owned grocery store; or

F. To a locally owned restaurant.

Sec. 7. 22 MRSA §2517-C, sub-§3, as enacted by PL 2009, c. 354, §3, is amended to read:

3. Labeling requirements for sales at farmers' markets, locally owned grocery stores and locally owned restaurants. A poultry producer may not sell poultry products that have not been inspected at a farmers' market, to a locally owned grocery store or a locally owned restaurant pursuant to subsections 1 and 2 unless the poultry products are labeled with:

A. The name of the farm, the name of the poultry producer and the address of the farm including the zip code;

B. The number of the license issued to the poultry producer in accordance with section 2514 and the lot number for the poultry products pursuant to subsection 1, paragraph F;

C. The statement "Exempt under the Maine Revised Statutes, Title 22, section 2517-C NOT INSPECTED." The statement must be prominently displayed with such conspicuousness that it is likely to be read and understood; and

D. Safe handling and cooking instructions as follows: "SAFE HANDLING INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or microwave. Keep raw poultry separate from other foods. Wash working surfaces, including cutting boards, utensils and hands, after touching raw poultry. Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard."

See title page for effective date.

CHAPTER 305

H.P. 126 - L.D. 151

An Act To Allow 2 Eligible Organizations To Jointly Hold a Game of Beano or Bingo

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

Sec. 1. 17 MRSA §314, 2nd ¶, as amended by PL 1997, c. 684, §1, is further amended to read:

The fee for such a license to any nonprofit organization is \$12.00 for each calendar week, or portion thereof, that the amusement is to be operated, or the license may be issued for a calendar month for a fee of \$36.00 or a calendar year for a fee of \$400. A special per-game license may be issued to any qualified nonprofit organization for the purposes of operating a game of "beano" or "bingo" for a fee of \$5.00. The special per-game license may not be issued more than 6 times to any one organization in a calendar year. All license fees must be paid to the Treasurer of State to be credited to the General Fund. A license is not assignable or transferable. Nothing contained in this section may be construed to prohibit any volunteer fire department or any agricultural fair association or bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious, veterans' organization or auxiliary of any of them from obtaining licenses for a period not to exceed 6 months on one application. No more than one license may be issued to any organization for any one period. ~~No~~ Except as provided in section 315-A, no more than one licensee may operate or conduct a game of "beano" or "bingo" on the same premises on the same date.

Sec. 2. 17 MRSA §315-A is enacted to read:

§315-A. Limited dual beano license

The Chief of the State Police may issue a limited dual beano license to 2 organizations eligible for a regular license to conduct a game of beano. A limited dual beano license permits 2 organizations to conduct beano jointly on the same date and at the same location. An organization may only conduct beano under the authority of a dual license on 2 occasions during a calendar year. The following provisions apply to licensure under this section.

1. Application. The 2 organizations wishing to conduct beano jointly shall submit an application to the Chief of the State Police in a manner prescribed by the chief.

2. Lead applicant. One organization must be identified as the lead applicant and acknowledge responsibility for any violation of the laws or rules governing beano committed during the conduct of the game.

3. Disposition of revenue. Revenue received from the conduct of the game must be divided in equal amounts between both organizations. Each organization shall file a disposition of funds report as if that organization had conducted beano independently.

4. License fee. The license fee for a limited dual beano license is \$12.