

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

C. Coordinate the activities of governmental entities relating to child sexual abuse and other child abuse and neglect investigations and delivery of services to victims of child sexual abuse and other child abuse and neglect and their families.

7. Multidisciplinary team. A center shall appoint a multidisciplinary team.

A. A multidisciplinary team must include employees of the participating agencies who are professionals involved in the investigation or prosecution of child sexual abuse cases and other child abuse and neglect cases. A multidisciplinary team may also include representatives of sexual assault support centers and professionals involved in the delivery of services, including medical and mental health services, to victims of child sexual abuse and other child abuse and neglect and the victims' families.

B. A multidisciplinary team shall meet at regularly scheduled intervals to:

(1) Review child sexual abuse and other child abuse and neglect cases determined to be appropriate for review by the multidisciplinary team. A multidisciplinary team may review a child sexual abuse case or other child abuse or neglect case in which the alleged abuser does not have custodial control or supervision of the child or is not responsible for the child's welfare or care; and

(2) Coordinate the actions of the entities involved in the investigation and prosecution of the cases and the delivery of services to the victims of child sexual abuse and other child abuse and neglect and the victims' families.

C. When acting in the member's official capacity, a multidisciplinary team member is authorized to receive confidential information for the purpose of carrying out the member's duties under this section. For purposes of this paragraph, "confidential information" includes confidential records regarding the investigation of reports of child sexual abuse and other child abuse and neglect, including videotaped interviews, and records, papers, files and communications regarding a person receiving services from or being investigated by the department.

8. Immunity from liability. A person is immune from civil liability for a recommendation or an opinion given in good faith while acting in the official scope of the person's duties as a member of a center's multidisciplinary team or as a staff member or volunteer of a center.

9. Confidential records. The files, reports, records, communications and working papers used or developed in providing services under this section are

confidential and are not public records for purposes of Title 1, chapter 13, subchapter 1. Information may be disclosed only to the following in order for them to carry out their duties:

A. The department, department employees, law enforcement agencies, prosecuting attorneys, medical professionals and other state agencies that provide services to children and families;

B. The attorney for a child who is the subject of confidential records; and

C. A guardian ad litem appointed under section 4005 for a child who is the subject of confidential records.

10. Reports. Beginning January 2015, the department shall annually report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the centers. The report must include the number of centers and an overview of the protocols adopted by the centers and the effectiveness of the centers in coordinating the investigation and prosecution of child sexual abuse and other child abuse and neglect and referral of victims of child sexual abuse and other child abuse and neglect for treatment. The committee may submit legislation related to the report.

See title page for effective date.

CHAPTER 365

H.P. 469 - L.D. 677

An Act Concerning Postsecondary Tuition Waivers for Children of Veterans

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

Sec. 1. 37-B MRSA §505, sub-§2, ¶F, as amended by PL 2007, c. 167, §8, is further amended to read:

F. A child of a veteran who is attending state-supported postsecondary vocational schools or institutions of collegiate grade must be admitted free of tuition including mandatory fees and lab fees for associate's and bachelor's programs. The tuition waiver provided under this paragraph may be reduced by an amount necessary to ensure that the value of this waiver, combined with all other grants and benefits received by the student, does not exceed the total cost of education. Room and board may not be waived. A child of a veteran has 6 academic years from the date of first entrance to complete ~~8 semesters~~ 120 credit hours. The director may waive the limit of 6 consecutive academic years when the recipient's education has

been interrupted by severe medical disability ~~or learning disability~~, illness ~~or other hardship~~, making continued attendance impossible, ~~however, the extension may not exceed 2 academic years.~~ Students must maintain at least a 2.0 or "C" grade point average to continue receiving educational benefits. If a student's grade point average falls below 2.0 or a "C," then the student has one semester to bring the grade point average up to at least 2.0 or a "C." If after that semester the student's grade point average is below 2.0 or a "C," the student loses educational benefits under this paragraph until the student achieves a grade point average of at least 2.0 or a "C."

Sec. 2. Waiver; baseline established; report. By October 15, 2013, each postsecondary educational institution of collegiate grade and vocational school that provides tuition waivers to children of veterans in accordance with the Maine Revised Statutes, Title 37-B, section 505, subsection 2, paragraph F shall provide the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management a list of students enrolled with that institution or school as of September 30, 2013 who have received the waiver and the total number of credit hours provided subject to the waivers. The bureau shall establish a baseline of credit hours taken for students receiving tuition waivers using the information provided in accordance with this section.

See title page for effective date.

CHAPTER 366

H.P. 966 - L.D. 1348

An Act To Encourage School Administrative Units To Increase Their Energy Savings

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

Sec. 1. 35-A MRSA §10123 is enacted to read:

§10123. School energy savings program

To the extent funds are available, the trust shall develop a program to provide energy savings improvements to kindergarten to grade 12 schools, including charter schools and private schools. Under this program, the trust may:

1. **Energy audits.** Provide incentives and technical support for an energy audit of a school facility;

2. **Energy measures.** Provide financial assistance for energy measures identified in an energy audit as likely to achieve total savings within 10 years that are greater than the total costs of the measures; and

3. **School payments.** Accept payments from schools, including, but not limited to, payments equal to or less than the value on monthly energy bills of the energy savings as a result of the energy measures. These payments may include costs to develop and oversee the project, administer the program and service loans.

Sec. 2. Funding sources. The Efficiency Maine Trust may seek funding for the program established under the Maine Revised Statutes, Title 35-A, subsection 10123 from multiple sources, including but not limited to using a revolving loan fund from a grant related to better buildings received through the American Recovery and Reinvestment Act of 2009 and partnering with the United States Department of Agriculture to use funds reserved for school districts with a population of less than 20,000 people.

See title page for effective date.

CHAPTER 367

S.P. 592 - L.D. 1551

An Act Regarding the Board of Trustees of the Maine Public Broadcasting Corporation

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 directs the board of trustees of the Maine Public Broadcasting Corporation to amend the corporation's bylaws by January 1, 2014 and requires the chair of the board of trustees to provide a report, including the proposed changes to the corporation's bylaws, to the Joint Standing Committee on Education and Cultural Affairs by December 13, 2013; and

Whereas, this process needs to begin sooner than 90 days after adjournment of the Legislature to be completed in sufficient time; 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. PL 1991, c. 848, §3, 2nd ¶, as amended by PL 1997, c. 599, §1, is further amended to read:

The transfer may occur only if the transferee corporation has a board of trustees that includes the chan-