

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

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-

cellor of the University of Maine System; 3 members representing the Board of Trustees of the University of Maine System; the President of Bates College; the President of Bowdoin College; the President of Colby College; and not fewer than 8 nor more than 12 public trustees elected by the board in the manner prescribed in the corporation's bylaws. The president of the transferee corporation is a nonvoting member of the board. By January 1, 1999, 2 additional public trustees must be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Senate. By January 1, 1999, the board shall amend the Maine Public Broadcasting Corporation bylaws to reflect the method of appointment of public trustees described in this paragraph. Beginning January 1, 2014, the composition of the board described in this paragraph is no longer required.

Sec. 2. PL 1991, c. 848, §3, as amended by PL 1997, c. 599, §1, is further amended by adding after the 2nd paragraph a new paragraph to read:

By January 1, 2014, the board shall amend the Maine Public Broadcasting Corporation bylaws to establish the number, terms and qualifications of trustees of the corporation and the method and manner of their selection consistent with the Maine Revised Statutes, Title 13-B. The board of trustees must include one member representing the University of Maine System appointed by the Board of Trustees of the University of Maine System, and one member must be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and to confirmation by the Senate.

Sec. 3. Report; bylaw review. By December 13, 2013, the chair of the board of trustees of the Maine Public Broadcasting Corporation shall provide a report including the proposed changes to the Maine Public Broadcasting Corporation bylaws related to the trustees of the corporation to the Joint Standing Committee on Education and Cultural Affairs.

Sec. 4. Transition. Members of the board of trustees of the Maine Public Broadcasting Corporation serving on the effective date of this Act serve until the selection of a new board of trustees pursuant to the corporation bylaws as amended in accordance with this Act.

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

Effective June 26, 2013.

**CHAPTER 368
H.P. 1079 - L.D. 1509**

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2013, June 30, 2014 and June 30, 2015

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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:

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: BASELINE BUDGET

GENERAL FUND	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$18,892	\$20,011
All Other	\$772,957	\$772,957
GENERAL FUND TOTAL	\$791,849	\$792,968

RETIREE HEALTH INSURANCE FUND	2013-14	2014-15
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