

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

State determines has violated any condition or restriction of license reinstatement. The periods of license suspension are:

- A. For a person reinstated pursuant to section 2412-A, subsection 7, one year; and
- B. For a person reinstated pursuant to this section, one year if the person has one OUI offense, 2 years if the person has 2 OUI offenses, 4 years if the person has 3 OUI offenses or is reinstated pursuant to subsection 1, paragraph D and 6 years if the person has 4 or more OUI offenses.

A person whose license is suspended as a result of a conviction or adjudication pursuant to this subsection is not entitled to the issuance of any type of license until the suspension period has expired.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Provides funding for one Office Associate II position and related costs to process additional requests for ignition interlock devices.

HIGHWAY FUND	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$56,400	\$60,130
All Other	\$7,549	\$3,223
HIGHWAY FUND TOTAL	\$63,949	\$63,353

Sec. 7. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 2411, subsection 5, paragraph A and section 2508, subsection 1 take effect on December 1, 2013.

See title page for effective date, unless otherwise indicated.

**CHAPTER 390
S.P. 442 - L.D. 1280**

**An Act Authorizing the
Deorganization of the Town of
Bancroft**

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

PART A

Sec. A-1. 20-A MRSA §8451, sub-§2, ¶B, as repealed and replaced by PL 2011, c. 679, §17, is amended to read:

B. Region 2. SOUTHERN AROOSTOOK COUNTY. Units located in this region include:

- (1) ~~Bancroft;~~
- (2) Benedicta Township;
- (3) Orient;
- (4) Regional School Unit No. 29 doing business as School Administrative District No. 29 (Hammond, Houlton, Littleton and Monticello);
- (5) Regional School Unit No. 50 (Crystal, Dyer Brook, Hersey, Island Falls, Merrill, Moro Plantation, Mount Chase, Oakfield, Patten, Sherman, Smyrna and Stacyville);
- (6) Regional School Unit No. 70 doing business as School Administrative District No. 70 (Amity, Cary Plantation, Haynesville and Hodgdon) and Linneus, Ludlow and New Limerick; and
- (7) Regional School Unit No. 84 doing business as School Administrative District No. 14 (Danforth and Weston).

Sec. A-2. Effective date. This Part takes effect July 1, 2015 if the deorganization of the Town of Bancroft is approved pursuant to Part B, section 5.

PART B

Sec. B-1. Deorganization of Town of Bancroft. Notwithstanding any contrary requirement of the Maine Revised Statutes, Title 30-A, chapter 302, if in accordance with Title 30-A, section 7207 a majority of the voters in the Town of Bancroft approve the deorganization procedure developed in accordance with Title 30-A, section 7205 and if the deorganization is approved by the voters of the Town of Bancroft pursuant to section 5 of this Part, the Town of Bancroft in Aroostook County is deorganized, except that the corporate existence, powers, duties and liabilities of the town survive for the purposes of prosecuting and defending all pending suits to which the town is, or may be, a party and all needful process arising out of any suits, including provisions for the payment of all or any judgments or debts that may be rendered against the town or exist in favor of any creditor.

Sec. B-2. Unexpended school funds. The treasurer of the town or any other person who has custody of the funds of the town shall pay the Treasurer of State all unexpended school funds that, together with the credits due the town for school purposes, are to be used by the State Tax Assessor to settle any school obligations contracted by the town before deor-

ganization. Any unexpended school funds remaining with the Treasurer of State after all the obligations have been met must be added to the Unorganized Territory Education and Services Fund, as established in the Maine Revised Statutes, Title 36, chapter 115.

Sec. B-3. Provision of education services. Notwithstanding any other law, this section entitles all prekindergarten to grade 5 pupils in the Town of Bancroft to attend school in Kingman Township, all grade 6 to grade 8 pupils to attend a school within Maine School Administrative District 30, all grade 9 to grade 12 pupils to attend Lee Academy and all pupils requiring special education services to obtain special education services under the direction of the Director of Special Education for the Division of State Schools - Education in Unorganized Territory. Pupils must be provided transportation at state expense to those schools. Prior approval by the Director of State Schools - Education in Unorganized Territory and the approval of tuition by the Commissioner of Education are required for a pupil to attend a school other than one listed in this section. Tuition may not exceed statutory limits. Transportation of a student who attends another school is the responsibility of the parent or legal guardian. The provisions in this section are subject to modification in response to educational conditions.

Sec. B-4. Assessment of taxes. The State Tax Assessor shall assess the real and personal property taxes in the Town of Bancroft as of April 1, 2015, as provided in the Maine Revised Statutes, Title 36, chapter 115.

Sec. B-5. Referendum; certificate to Secretary of State. This Part takes effect 90 days after its approval only for the purpose of permitting its submission by the municipal officers to the legal voters of the Town of Bancroft by ballot at the next statewide election to be held in November. This election must be called, advertised and conducted according to the Maine Revised Statutes, Title 30-A, sections 2528 and 2532. The town clerk shall prepare the required ballots on which the clerk shall reduce the subject matter of this Part to the following question:

"Shall the Town of Bancroft be deorganized?"

The voters shall indicate their opinion on this question by a cross or check mark placed against the word "Yes" or "No." Before becoming effective, this Part must be approved by at least 2/3 of the legal voters voting at the election, and the total number of votes cast for and against the acceptance of this Part at the election must equal or exceed 50% of the total number of votes cast in the town for Governor at the last gubernatorial election.

The municipal officers of the Town of Bancroft shall declare the result of the vote. The town clerk

shall file a certificate of the election result with the Secretary of State within 10 days from the date of the election.

Sec. B-6. Effective date. Sections 1 to 4 of this Part take effect on July 1, 2015 if deorganization is approved by the voters of the Town of Bancroft pursuant to section 5 of this Part.

Effective July 1, 2015 pending referendum.

CHAPTER 391

H.P. 1034 - L.D. 1440

An Act To Amend the Retirement Laws Pertaining to Participating Local Districts

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

Sec. 1. 5 MRSA §18301, sub-§5 is enacted to read:

5. Member contributions to Participating Local District Consolidated Retirement Plan. The board may establish by rule the rate at which members who participate in the consolidated plan described in chapter 427 contribute to that plan. Rules established pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

Sec. 2. 5 MRSA §18309, sub-§1, as amended by PL 2007, c. 491, §221, is further amended to read:

1. Contribution rate. Except as provided in ~~subsection~~ subsections 2 and 3, each firefighter, including the chief of a fire department, employed by a participating local district that provides a special retirement benefit under section 18453, subsection 4 or 5, shall contribute to the Participating Local District Retirement Program or have pick-up contributions made by the employer at a rate of 8% of earnable compensation as long as employed as a firefighter.

Sec. 3. 5 MRSA §18309, sub-§3 is enacted to read:

3. Member contributions to Participating Local District Consolidated Retirement Plan. The board may establish by rule the rate at which firefighters who participate in the consolidated plan described in chapter 427 contribute to that plan. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

Sec. 4. 5 MRSA §18310, sub-§1, as amended by PL 2007, c. 491, §222, is further amended to read:

1. Contribution rate. Except as provided in ~~subsection~~ subsections 2 and 3, each police officer, including the chief of a police department, employed by a participating local district that provides a special