

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

tuition charge is computed. ~~For the 2008-2009 school year only, a school administrative unit is not required to pay an insured value factor greater than 5% of the school's tuition rate per student, unless the legislative body of the school administrative unit votes to authorize its school board to pay a higher insured value factor that is no greater than 10% of the school's tuition rate per student. Beginning in From school year 2009-2010 to school year 2013-2014, a school administrative unit is not required to pay an insured value factor greater than 5% of the school's tuition rate or \$500 per student, whichever is less, unless the legislative body of the school administrative unit votes to authorize its school board to pay a higher insured value factor that is no greater than 10% of the school's tuition rate per student. For the 2014-2015 school year, a school administrative unit is not required to pay an insured value factor greater than 6% of the school's tuition rate per student, unless the legislative body of the school administrative unit votes to authorize its school board to pay a higher insured value factor that is no greater than 10% of the school's tuition rate per student. Beginning in the 2015-2016 school year, a school administrative unit is not required to pay an insured value factor greater than the amount of the prior school year's insured value factor adjusted by a percentage equal to the percentage change in the state share percentage of the total cost of funding public education in the prior school year as determined by section 15671, subsection 7, paragraph C as compared to the applicable percentage for the current school year. In no case may the insured value factor be less than 6% or greater than 10% of the school's tuition rate per student, unless the legislative body of the school administrative unit votes to authorize its school board to pay an insured value factor that exceeds the amount otherwise permitted by this subsection by no more than 5% of the school's tuition rate per student.~~

Sec. 2. 20-A MRSA §15683-A, as amended by PL 2011, c. 655, Pt. C, §7, is further amended to read:

§15683-A. Total debt service allocation

For each school administrative unit, that unit's total debt service allocation is that unit's debt service costs as defined in section 15672, subsection 2-A. Each school administrative unit's total debt service allocation must include the portion of the tuition cost applicable to the insured value factor for the base year computed under section 5806 ~~limited to an insured value factor no greater than 5% for each eligible student. Beginning in school year 2014-2015, each school administrative unit's total debt service allocation must include the portion of the tuition cost applicable to the insured value factor for the base year computed under section 5806 limited to an insured value factor no greater than the percentage established in section 5806, excluding any higher percentage au-~~

thorized by local school boards, for each eligible student for the base year.

See title page for effective date.

CHAPTER 419

H.P. 1122 - L.D. 1554

An Act To Increase International Cross-border Partnerships To Benefit Maine's Economy

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

Sec. 1. Appropriations and allocations.

The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Appropriates funds for the Maine-Canadian Legislative Advisory Commission.

GENERAL FUND	2013-14	2014-15
Personal Services	\$990	\$990
All Other	\$4,260	\$4,260
GENERAL FUND TOTAL	\$5,250	\$5,250

See title page for effective date.

CHAPTER 420

H.P. 639 - L.D. 915

An Act To Expand the Sales Tax Exemption for Certain Public Libraries To Include Sales by Those Libraries or Their Supporting Organizations

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

Sec. 1. 36 MRSA §1760, sub-§50, as enacted by PL 1983, c. 859, Pt. M, §§6 and 13, is amended to read:

50. Certain libraries. Sales to any nonprofit free public lending library ~~which that~~ is funded in part or wholly by the State or any political subdivision or the federal government ~~and sales by any such library or a nonprofit corporation organized to support that library~~

as long as the proceeds from the sales are used to benefit the library.

See title page for effective date.

**CHAPTER 421
S.P. 107 - L.D. 274**

**An Act To Preserve and
Protect Ancient Burial
Grounds and Burial Grounds
in Which Veterans Are Buried**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 13 MRSA §1101, as amended by PL 1999, c. 700, §1, is repealed and the following enacted in its place:

§1101. Maintenance and repairs; municipality

1. Ancient burying grounds. In any ancient burying ground, as referenced in Title 30-A, section 5723, the municipality in which that burying ground is located shall keep in good condition all graves, headstones, monuments and markers and, to the best of its ability given the location and accessibility of the ancient burying ground, shall keep the grass, weeds and brush suitably cut and trimmed on those graves from May 1st to September 30th of each year. A municipality may designate a caretaker to whom it delegates for a specified period of time the municipality's responsibilities regarding an ancient burying ground.

2. Grave sites of veterans in public burying grounds. In any public burying ground in which a veteran of the Armed Forces of the United States is buried, the municipality in which that burying ground is located shall keep the grave, headstone, monument or marker designating the burial place of any veteran of the Armed Forces of the United States in good condition and repair from May 1st to September 30th of each year, including:

A. Regrading the grave site to make it level when the grave site has sunk 3 or more inches compared to the surrounding ground;

B. Maintaining the proper height and orientation, both vertical and horizontal, of the headstone, monument or marker;

C. Ensuring that inscriptions on the headstone, monument or marker are visible and legible;

D. Ensuring that the average height of grass at the grave site is between 1.5 to 2.5 inches but no more than 3 inches;

E. Keeping a flat grave marker free of grass and debris; and

F. Keeping the burial place free of fallen trees, branches, vines and weeds.

Sec. 2. 13 MRSA §1101-B, as enacted by PL 1999, c. 700, §2, is amended to read:

§1101-B. Ancient burying grounds

1. Access to ancient burying grounds on privately owned land. The owner of an ancient burying ground shall provide municipalities a municipality or its caretaker designated pursuant to section 1101 access necessary to perform the duties pursuant to section 1101 and Title 30-A, section 2901. Any unreasonable denial to provide municipalities access may result in the owner being held responsible for any fines, court costs and attorney's fees incurred by municipalities in legally obtaining access or for failing to meet the requirements of section 1101.

2. Maintenance by landowner. A person who owns a parcel of land that contains an ancient burying ground and chooses to deny access to the municipality or its caretaker designated pursuant to section 1101 shall assume the duties as described in section 1101 and Title 30-A, section 2901, subsection 1. Maintenance of an ancient burying ground by the owner exempts the municipality from performing the duties as described in section 1101.

See title page for effective date.

**CHAPTER 422
H.P. 815 - L.D. 1150**

**An Act To Continue Certain
Position Distributions in the
Department of Labor and To
Amend the Competitive Skills
Scholarship Program**

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 proposed position changes and funding represent continuity with the current fiscal year; and

Whereas, the continuity is essential for the proper provision of the services to be funded; and