

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 SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2014

- (2) State Civil Service Appeals Board in ~~2005~~ 2021;
- (3) State Claims Commission in ~~2005~~ 2021;
- (4) Maine Municipal Bond Bank in ~~2007~~ 2015;
- (5) Office of Treasurer of State in ~~2007~~ 2015;
- (6) Department of Administrative and Financial Services, except for the Bureau of Revenue Services, in ~~2011~~ 2019; and
- (7) Department of the Secretary of State, except for the Bureau of Motor Vehicles, in ~~2011~~ 2019.

N. The joint standing committee of the Legislature having jurisdiction over taxation matters shall use the following schedule as a guideline for scheduling reviews:

- (1) State Board of Property Tax Review in ~~2011~~ 2019; and
- (2) Department of Administrative and Financial Services, Bureau of Revenue Services in ~~2011~~ 2019.

O. The joint standing committee of the Legislature having jurisdiction over transportation matters shall use the following schedule as a guideline for scheduling reviews:

- (1) Maine Turnpike Authority in ~~2005~~ 2021;
- (2) The Bureau of Motor Vehicles within the Department of the Secretary of State in ~~2007~~ 2015;
- (3) The Department of Transportation in ~~2007~~ 2015; and
- (4) Maine State Pilotage Commission in ~~2009~~ 2017.

P. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall use the following list as a guideline for scheduling reviews:

- (1) Public Advocate in ~~2005~~ 2015;
- (2) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency in ~~2007~~ 2015;
- (3) Public Utilities Commission, including the Emergency Services Communication Bureau, in ~~2007~~ 2015; and
- (5) Telecommunications Relay Services Advisory Council in ~~2013~~ 2015.

Q. The joint standing committee of the Legislature having jurisdiction over retirement matters

shall use the following list as a guideline for scheduling reviews:

- (1) Maine Public Employees Retirement System in ~~2013~~ 2021.

Sec. 2. 3 MRSA §963, as enacted by PL 1995, c. 488, §2, is amended to read:

§963. Review

The joint standing committee of the Legislature having jurisdiction over state and local government matters shall review the provisions and effects of this chapter no later than June 30, ~~2000~~ 2022 and at least once every 10 years after June 30, ~~2000~~ 2022.

See title page for effective date.

CHAPTER 506

S.P. 720 - L.D. 1805

An Act To Implement the Recommendations of the Review Committee Established To Examine the Impact of Unfunded Education Mandates and Other Regulatory Burdens

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

Sec. 1. 20-A MRSA §6, as enacted by PL 1989, c. 889, §2, is repealed.

Sec. 2. 20-A MRSA §254, sub-§7, as enacted by PL 1983, c. 739, is repealed.

Sec. 3. 20-A MRSA §254, sub-§§8 and 9, as amended by PL 1995, c. 625, Pt. A, §21, are repealed.

Sec. 4. 20-A MRSA §254, sub-§10, as enacted by PL 1989, c. 889, §3, is repealed.

Sec. 5. 20-A MRSA §256, sub-§7, as enacted by PL 1989, c. 889, §5, is repealed.

Sec. 6. 20-A MRSA c. 11, as amended, is repealed.

Sec. 7. 20-A MRSA §4001, sub-§7, as amended by PL 1999, c. 81, §3, is further amended to read:

7. Maintenance and capital improvement program. A school administrative unit, including the unorganized territories, shall establish and maintain a maintenance and capital improvement program for all school facilities, ~~utilizing a maintenance template and software provided by the department and shall annually commit resources to that program pursuant to established minimum standards. The department and the Department of Administrative and Financial Services, Bureau of General Services shall establish the mini-~~

~~imum standards. The Department of Education and the Bureau of General Services shall adopt rules necessary to implement this subsection. Rules adopted by the Department of Education and the Bureau of General Services to implement this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter II-A.~~

Sec. 8. 20-A MRSA §4502, sub-§4-A, as enacted by PL 1989, c. 889, §7, is amended to read:

4-A. Affirmative action plan. Each school administrative unit shall develop an affirmative action plan in accordance with Title 5, chapter 65 as part of the school approval process and update this plan annually as necessary. The affirmative action plan must include a description of the status of the unit's nondiscriminatory hiring practice provided in section 1001, subsection 13, and plans for in-service training programs on gender equity for teachers, administrators and school boards, ~~and a plan for meeting the 5 year goal established under section 254, subsection 9.~~ The unit shall submit any update of the plan annually to the commissioner.

Sec. 9. 20-A MRSA §4709, sub-§3, as enacted by PL 1991, c. 292, §1, is repealed.

Sec. 10. 20-A MRSA §4801, sub-§1, ¶E, as enacted by PL 1991, c. 622, Pt. DD, §2, is repealed.

Sec. 11. 20-A MRSA §5802-A, as enacted by PL 1989, c. 916, §1 and amended by PL 2003, c. 689, Pt. B, §6, is repealed.

Sec. 12. 20-A MRSA §5807, as enacted by PL 1981, c. 693, §§5 and 8, is repealed.

Sec. 13. 20-A MRSA §6103, sub-§3-B, as enacted by PL 2005, c. 519, Pt. I, §2, is repealed.

Sec. 14. 20-A MRSA §6209-A, as amended by PL 2007, c. 259, §6, is repealed.

Sec. 15. 20-A MRSA §13405, as enacted by PL 2005, c. 635, §5, is repealed.

Sec. 16. 20-A MRSA §15681, sub-§2-A, ¶A, as enacted by PL 2005, c. 635, §7, is repealed.

Sec. 17. 20-A MRSA §15905, sub-§6, as enacted by PL 1995, c. 632, §2, is amended to read:

6. Facility maintenance plan required. The state board shall require a school administrative unit applying for state funds for a school construction project to establish a facility maintenance plan for the projected life cycle of the proposed school building. ~~The department shall provide technical assistance to school administrative units in carrying out this section. Assistance must include, but is not limited to, the provision of a model facility maintenance plan and the provision of technical and other assessment information from the school facilities inventory under section 15917.~~

Sec. 18. 20-A MRSA §15918, as enacted by PL 1997, c. 787, §11, is repealed and the following enacted in its place:

§15918. Maintenance and capital improvement plan assistance

The department, within existing resources, shall support facility maintenance and capital planning training for school administrative units.

Sec. 19. Department rules. Rules adopted to implement the Maine Revised Statutes, Title 20-A, section 4001, subsection 7 and section 15918, which are repealed by this Act, related to the establishment of a school facilities maintenance template and software and the delivery of technical assistance to school administrative units to implement maintenance and capital improvement programs for school facilities are void and have no effect. Notwithstanding any other provision of law, amendments to the rules to remove these provisions are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 507

S.P. 709 - L.D. 1782

An Act To Make Technical Amendments to the Criminal History Record Information Act and the Intelligence and Investigative Record Information Act and a Related Provision in the Maine Revised Statutes, Title 20-A

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

Sec. 1. 16 MRSA §703, sub-§2, ¶E, as enacted by PL 2013, c. 267, Pt. A, §2, is amended to read:

E. Information disclosing that a criminal proceeding has been ~~indefinitely~~ postponed for a period of more than one year or dismissed because the person charged is found by the court to be mentally incompetent to stand trial or to be sentenced;

Sec. 2. 16 MRSA §703, sub-§2, ¶F, as enacted by PL 2013, c. 267, Pt. A, §2, is amended to read:

F. Information disclosing that a criminal charge has been filed, if ~~the filing period is indefinite or for more than one year~~ has elapsed since the date of the filing;

Sec. 3. 16 MRSA §705, sub-§3, as enacted by PL 2013, c. 267, Pt. A, §2, is amended to read: