

MAINE STATE LEGISLATURE

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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

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
Personal Services	\$770	\$770
All Other	\$1,230	\$1,230
	\$2,000	\$2,000
OTHER SPECIAL REVENUE FUNDS TOTAL		

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

Effective April 16, 2014.

CHAPTER 108

H.P. 1240 - L.D. 1732

**Resolve, Directing the Director
of the Bureau of Parks and
Lands To Convey the
Chesuncook Community
Church Building in
Chesuncook Township to the
Greenville Union Evangelical
Church**

Sec. 1. Conveyance of building. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall convey the Chesuncook Community Church building in Chesuncook Township to the Greenville Union Evangelical Church.

See title page for effective date.

CHAPTER 109

S.P. 748 - L.D. 1849

**Resolve, To Establish the
Commission To Study College
Affordability and College
Completion**

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 needs to take effect before the expiration of the 90-day period in order to allow the commission established in this resolve sufficient time to complete its work; 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

Sec. 1. Commission established. Resolved:

That, notwithstanding Joint Rule 353, the Commission To Study College Affordability and College Completion, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 13 members as follows:

1. The President of the Senate shall appoint:

A. Two members of the Senate who serve on the Joint Standing Committee on Education and Cultural Affairs, including one member of the party holding the highest and one member of the party holding the 2nd highest number of seats in the Legislature;

B. One person representing a statewide association of independent higher education institutions; and

C. One person representing a statewide association of student financial aid directors;

2. The Speaker of the House shall appoint:

A. Three members of the House of Representatives who serve on the Joint Standing Committee on Education and Cultural Affairs, including 2 members of the party holding the highest and one member of the party holding the 2nd highest number of seats in the Legislature;

B. One person with expertise in higher education policy issues representing a nonprofit entity in the State that provides financial assistance to students or to high schools to assist students for college enrollment; and

C. One person with expertise in higher education policy issues representing a statewide education policy research institute; and

3. Four members of the publicly supported higher education systems in the State, including:

A. The Chancellor of the University of Maine System or the chancellor's designee;

B. The President of the Maine Community College System or the president's designee;

C. The President of the Maine Maritime Academy or the president's designee; and

D. The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than 30 days following the appointment of all members; and be it further

Sec. 5. Duties. Resolved: That the commission shall examine and make recommendations on the development of strategies to keep the cost of public postsecondary education in the State affordable and to increase the graduation rate of students enrolled in state-supported public institutions of higher education. The strategies and related cost issues to be reviewed include:

1. Oregon's "Pay Forward, Pay Back" pilot project's model of funding public postsecondary education, under which a student enrolled in a public institution of higher education, in lieu of paying tuition or fees, contracts to pay to the State a certain percentage of the student's annual income upon graduation for a specified number of years;

2. Increased funding to the State of Maine Grant Program established in the Maine Revised Statutes, Title 20-A, section 11612 that boosts the minimum grant from \$1,000 to \$1,500 for eligible Maine residents;

3. The initiatives proposed by the public and independent colleges and universities in the State as part of the March 2014 "Improving College Affordability and Completion in Maine" report submitted to the Joint Standing Committee on Education and Cultural Affairs;

4. The extent to which Maine's public institutions of higher education support the state reforms included in the October 2013 "The Game Changers" report prepared by Complete College America, which recommends implementing the following strategies to enable more college students to complete degree programs and certificate programs and graduate from college: Performance Funding; Corequisite Remediation; Full-Time is 15; Structured Schedules; and Guided Pathways to Success;

5. The mandatory fees charged to students beyond the price of tuition charges, including technology and laboratory fees;

6. The affordability of college textbooks, including consideration of the costs and benefits of open source textbooks, for college students in the State; and

7. Other strategies that a majority of the commission members agree to include in this review.

The commission shall review previous reports prepared and submitted to the Legislature on college affordability and the rate of college degree completion in the State, including the "Statewide Education and Workforce Development Strategic Plan" report submitted by the Education Coordination Committee to the Joint Select Committee on Maine's Workforce and Economic Future on January 30, 2014; and be it further

Sec. 6. Staffing assistance; information. Resolved: That the University of Maine System, the Maine Community College System and the Maine Maritime Academy shall provide staffing assistance to the commission. The Finance Authority of Maine shall provide the commission with access to any non-confidential aggregate information in its student financial assistance database for postsecondary education students in the State necessary to carry out the duties pursuant to section 5. The Office of Policy and Legal Analysis shall provide drafting assistance to the commission; and be it further

Sec. 7. Outside funding for commission activities. The commission may seek outside funds to provide staff support, consulting or other services or to fund the costs of carrying out the duties and requirements of the commission. Contributions to support the work of the commission may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution shall certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the commission's activities. Such a certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of the funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of the funds. The Executive Director of the Legislative Council shall administer any funds received by the commission; and be it further

Sec. 8. Report; recommendations. Resolved: That the commission shall submit a report containing its findings and recommendations pursuant to section 5, including any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over education matters by December 9, 2014. The joint standing committee may

submit a bill related to this report to the First Regular Session of the 127th Legislature.

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

Effective April 29, 2014.

CHAPTER 110

H.P. 1174 - L.D. 1602

Resolve, Establishing the Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast

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 Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast is established to identify the actual and potential effects of coastal and ocean acidification on commercially valuable marine species, to identify the scientific data and knowledge gaps that hinder Maine's ability to craft policy and other responses to coastal and ocean acidification and prioritize the strategies for filling those gaps and to provide policies and tools to respond to the adverse effects of coastal and ocean acidification on commercially important fisheries and Maine's shellfish aquaculture industry; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time to be considered in the next legislative session; 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

Sec. 1. Commission established. Resolved: That, notwithstanding Joint Rule 353, the Commission To Study the Effects of Coastal and Ocean Acidification and Its Existing and Potential Effects on Species That Are Commercially Harvested and Grown along the Maine Coast, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following members:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Eight members appointed by the Commissioner of Marine Resources, including:

A. Two representatives of an environmental or community group;

B. Three persons who fish commercially, including at least one aquaculturist; and

C. Three scientists who have studied coastal or ocean acidification; and

4. Three members as follows:

A. The Commissioner of Marine Resources or the commissioner's designee;

B. The Commissioner of Environmental Protection or the commissioner's designee; and

C. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee; and be it further

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission within 45 days. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the commission shall meet a minimum of 4 times to review, study and analyze existing scientific literature and data on coastal and ocean acidification and how it has affected or potentially will affect commercially harvested and grown species along the coast of the State and shall address: