

# 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-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

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

---

---

**Augusta, Maine**  
**2015**

by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy, as established in section 73, as well as rules implementing that policy;

**Sec. 4. 23 MRSA §1965, sub-§1, ¶P**, as enacted by PL 1981, c. 595, §3, is amended to read:

P. Provide from revenues to or for the use of the department funds for the maintenance, construction or reconstruction of interchanges ~~determined pursuant to section 1974, subsection 3~~, for which the authority has not otherwise provided;

**Sec. 5. 23 MRSA §1965-A**, as amended by PL 1997, c. 493, Pt. A, §2 and affected by §3, is repealed.

**Sec. 6. 23 MRSA §1966, sub-§4**, as enacted by PL 1987, c. 457, §4, is repealed.

**Sec. 7. 23 MRSA §1969, sub-§1, ¶C**, as amended by PL 1993, c. 410, Pt. MM, §8, is further amended to read:

C. To the payment of the costs of constructing or reconstructing interchanges that are determined by the Department of Transportation and the authority to have a sufficient relationship to the public's use of the turnpike and the orderly regulation and flow of traffic on the turnpike ~~in accordance with the requirements of section 1974, subsection 3~~;

**Sec. 8. 23 MRSA §1974, sub-§3**, as amended by PL 1991, c. 9, Pt. E, §16, is repealed.

See title page for effective date.

## CHAPTER 6

### H.P. 56 - L.D. 62

#### An Act To Require Notice to Municipalities of Certain Licensing and Registration Actions Taken by the Emergency Medical Services' Board

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

**Sec. 1. 32 MRSA §83, sub-§17-B** is enacted to read:

**17-B. Municipal officers.** "Municipal officers" means:

A. The selectmen or councillors of a town; or

B. The mayor and aldermen or councillors of a city.

**Sec. 2. 32 MRSA §88, sub-§5** is enacted to read:

**5. Notice of action.** In any proceeding under this section with regard to an ambulance service owned and operated by a municipality or a private ambulance service with which a municipality contracts for services, if the board takes action under subsection 3 or 4, the board shall notify in writing the town manager or city manager and the municipal officers of the municipality that owns and operates or contracts with the ambulance service within 5 business days of taking the action.

**Sec. 3. 32 MRSA §90-A, sub-§6** is enacted to read:

**6. Notice of action.** In any proceeding under this section with regard to an ambulance service owned and operated by a municipality or a private ambulance service with which a municipality contracts for services, if the board takes further licensing action under subsection 4, the board shall notify in writing the town manager or city manager and the municipal officers of the municipality that owns and operates or contracts with the ambulance service within 5 business days of taking the action.

See title page for effective date.

## CHAPTER 7

### H.P. 167 - L.D. 235

#### An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending 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 preserva-

tion 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.

#### EDUCATION, DEPARTMENT OF

##### PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reallocates the cost of one Public Service Manager II position from 100% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund to 95% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and 5% in the School Finance and Operations program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	0.000
Personal Services	(\$5,598)	\$0	\$0
All Other	(\$5,598)	\$0	\$0
	<hr/>	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$11,196)	\$0	\$0

##### School Finance and Operations Z078

Initiative: Reallocates the cost of one Public Service Manager II position from 100% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund to 95% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and 5% in the School Finance and Operations program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$5,598	\$0	\$0
	<hr/>	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$5,598	\$0	\$0

EDUCATION,  
DEPARTMENT OF

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND	(\$5,598)	\$0	\$0
	<hr/>	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	(\$5,598)	\$0	\$0

### PART B

#### Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

#### EDUCATION, DEPARTMENT OF

##### General Purpose Aid for Local Schools 0308

Initiative: Provides funding for approved reclassifications and range changes.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$14,578	\$0	\$0
All Other	(\$14,578)	\$0	\$0
	<hr/>	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0	\$0

##### PK-20, Adult Education and Federal Programs Team Z081

Initiative: Provides funding for approved reclassifications and range changes.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$11,227	\$0	\$0
All Other	(\$11,227)	\$0	\$0
	<hr/>	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0	\$0

##### School Finance and Operations Z078

Initiative: Provides funding for approved reclassifications and range changes.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$6,662	\$0	\$0
All Other	(\$6,662)	\$0	\$0
	<hr/>	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$2,243	\$0	\$0
All Other	(\$2,243)	\$0	\$0
	<hr/>	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
	<hr/>	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

**PART C**

**Sec. C-1. PL 2013, c. 368, Pt. JJ, §1** is amended to read:

**Sec. JJ-1. Lease-purchase authorization; Maine learning technology initiative.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Education may enter into financing arrangements in fiscal years 2013-14, 2014-15, and 2015-16 for the acquisition of portable computer devices for students and educators to support the operations of the Maine learning technology initiative. The financing agreements may not exceed 4 years in duration and ~~\$69,696,000~~ \$95,000,000 in principal costs for the Maine learning technology initiative. The interest rate may not exceed 8% and the total interest costs may not exceed ~~\$5,575,680~~ \$7,600,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Department of Education. The State is authorized to extend the provisions of the lease-purchase agreement on behalf of school administrative units as long as all costs of the extension are borne by the school administrative units.

**PART D**

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

**ARTS COMMISSION, MAINE****Arts - Administration 0178**

Initiative: Provides one-time funding to meet payroll obligations.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$76,435	\$0	\$0
	<hr/>	<hr/>	<hr/>
GENERAL FUND TOTAL	\$76,435	\$0	\$0

**PART E****Sec. E-1. Appropriations and allocations.**

The following appropriations and allocations are made.

**MUSEUM, MAINE STATE****Maine State Museum 0180**

Initiative: Reorganizes 2 Museum Specialist I positions to Museum Education Specialist II positions; one part-time Museum Technician I position to a part-time Museum Education Specialist I position; and 2 part-time Museum Technician I positions to one full-time Museum Education Specialist I position funded by the elimination of one part-time Museum Technician I position.

GENERAL FUND	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	0.000	0.000
	<hr/>	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0	\$0

**Research and Collection - Museum 0174**

Initiative: Reorganizes one Museum Specialist II position to a Museum Specialist III position and reallocates the funding from 100% General Fund in the Maine State Museum program to 95% General Fund in the Maine State Museum program and 5% Other Special Revenue Funds in the Research and Collection - Museum program.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$3,688	\$0	\$0
	<hr/>	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,688	\$0	\$0

**MUSEUM, MAINE  
STATE**

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
----------------------	---------	---------	---------

GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$3,688	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,688	\$0	\$0

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

Effective April 1, 2015.

## CHAPTER 8

### S.P. 175 - L.D. 446

#### An Act To Change the Name of the Public Utilities Commission's Consumer Assistance Division

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

**Sec. 1.** 2 MRSA §6-A, sub-§3, ¶E, as enacted by PL 1985, c. 618, §1, is amended to read:

E. Director of consumer assistance and safety.

**Sec. 2.** 5 MRSA §949, sub-§1, ¶E, as enacted by PL 1985, c. 618, §4, is amended to read:

E. Director of ~~Consumer Assistance~~ consumer assistance and safety.

**Sec. 3.** 35-A MRSA §107, sub-§1, ¶A, as amended by PL 2011, c. 420, Pt. A, §30, is further amended to read:

A. An administrative director, a director of telephone and water utility industries, a director of electric and gas utility industries and a director of consumer assistance and safety;

**Sec. 4.** 35-A MRSA §107, sub-§2, ¶A, as amended by PL 2011, c. 420, Pt. A, §31, is further amended to read:

A. The general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries and the director of consumer assistance and safety serve at the pleasure of the commission and their salaries must be set by the commission within the ranges established by Title 2, section 6-A.

**Sec. 5.** 35-A MRSA §107, sub-§2, ¶C, as amended by PL 2011, c. 420, Pt. A, §32, is further amended to read:

C. The salaries of the other subordinate officials and employees of the commission, other than those of the general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries, the director of consumer assistance and safety and the staff attorney and utility analyst positions, are subject to the Civil Service Law.

**Sec. 6.** 35-A MRSA §704, sub-§5, ¶¶A and D, as enacted by PL 1987, c. 614, §2, are amended to read:

A. Records containing the following information ~~shall be~~ are confidential and are not public records for the purpose of Title 1, section 402, subsection 3:

(1) Information acquired by the ~~Consumer Assistance Division~~ consumer assistance and safety division regarding the payment and credit history and financial condition of a customer who has requested the assistance of the division; and

(2) Information acquired by the ~~Consumer Assistance Division~~ consumer assistance and safety division regarding the medical condition of a customer or member of a customer's family.

D. The ~~Consumer Assistance Division~~ consumer assistance and safety division shall prepare its decisions or abstracts of decisions in a manner ~~which that~~ that protects the confidentiality of customer information as provided by this subsection. Those decisions or abstracts of decisions ~~shall~~ must be available for public access.

**Sec. 7.** 35-A MRSA §6114, sub-§4, as enacted by PL 2013, c. 573, §4, is amended to read:

**4. Consumer assistance and safety division.** The commission shall ensure that customers of consumer-owned water utilities retain access to the services provided by the consumer assistance and safety division within the commission.

See title page for effective date.

## CHAPTER 9

### H.P. 170 - L.D. 238

#### An Act To Extend the Period of Time for Persons Who Purchase Special Fuel and Gasoline for Off-highway Use To Apply for the Special Fuel and Gasoline Tax Refunds