

MAINE STATE LEGISLATURE

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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

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

Augusta, Maine
2015

CHAPTER 70
H.P. 82 - L.D. 110

**An Act To Designate Pure
Maine Maple Syrup as the
Official State Sweetener**

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

Sec. 1. 1 MRSA §228 is enacted to read:

§228. State sweetener

Pure Maine maple syrup is the official state
sweetener.

See title page for effective date.

CHAPTER 71
H.P. 193 - L.D. 275

**An Act To Allow the Use of a
Crossbow for Recreational
Target Practice within 100
Yards of a Building without the
Owner's Permission**

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

Sec. 1. 12 MRSA §11209, as amended by PL 2013, c. 538, §26, is further amended to read:

**§11209. Discharge of firearm near dwelling or
building**

1. Prohibition. A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in subsection 3 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, or crossbow or cause a projectile to pass as a result of that discharge within 100 yards of a building or residential dwelling without the permission of the owner or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

B. Possess a wild animal or wild bird taken in violation of this subsection, except as otherwise provided in this Part.

This subsection may not be construed to prohibit a person from killing or taking a wild animal in accordance with sections 12401 and 12402.

For purposes of this ~~subsection~~ section, "building" means any residential, commercial, retail, educational, religious or farm structure that is designed to be occupied by people or domesticated animals or is being used to shelter machines or harvested crops.

For purposes of this ~~subsection~~ section, "projectile" means a bullet, pellet, shot, shell, ball, bolt or other object propelled or launched from a firearm or crossbow.

2. Penalty. A person who violates subsection 1 commits a Class E crime.

3. Target practice; crossbow. Unless otherwise prohibited, a landowner or the landowner's invitee may discharge a crossbow for recreational target practice purposes on the landowner's property within 100 yards of a building or residential dwelling without the permission of the owner of that building or dwelling. Nothing in this subsection authorizes a landowner or the landowner's invitee to cause a projectile discharged from a crossbow to enter property owned by another person.

See title page for effective date.

CHAPTER 72
S.P. 157 - L.D. 428

**An Act To Amend the Powers
and Duties of the State Board
of Education**

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

Sec. 1. 20-A MRSA §405, sub-§3, ¶U, as amended by PL 2005, c. 611, §1, is further amended to read:

U. Review the organization of school administrative units statewide to identify current cooperative agreements between school administrative units. Cooperative agreements may include, but are not limited to: purchasing or contract agreements; administrative functions; shared staff and staff training; and technology initiatives. Based on the review, and in consultation with the department, the state board may recommend that school administrative units develop and carry out a plan for a cooperative agreement with one or more other school administrative units. "Cooperative agreement" may include agreements between school administrative units and career and technical education regions and career and technical education centers; ~~and~~

Sec. 2. 20-A MRSA §405, sub-§3, ¶V, as amended by PL 2005, c. 611, §2, is further amended to read:

V. Study school administrative unit configuration statewide; ~~and~~

Sec. 3. 20-A MRSA §405, sub-§3, ¶W is enacted to read:

W. Enter into an interstate reciprocity agreement regarding postsecondary distance education, administer the agreement and approve or disapprove an application to participate in the agreement from a postsecondary institution that has its principal campus in the State.

See title page for effective date.

CHAPTER 73

H.P. 301 - L.D. 462

An Act To Clarify Rulemaking for Transportation of Public School Students

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

Sec. 1. 20-A MRSA §5401, sub-§17, as enacted by PL 2007, c. 572, Pt. A, §5, is amended to read:

17. Rules; federal or state requirements for public preschool transportation. The department may adopt rules to implement the provisions of this section. ~~A rule authorized or provisionally adopted by the department pursuant to this subsection or Title 29-A, section 2311 after January 1, 2008 that concerns the transportation of public preschool students is a major substantive rule and subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A. An amendment to a rule adopted pursuant to this subsection or Title 29-A, section 2311 prior to January 1, 2008 is considered a major substantive rule when the amendment concerns the transportation of public preschool students, and it is subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A. Should the Federal Government or the State require transportation of public preschool children, the department shall develop and adopt rules regarding such transportation, and those rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.~~

Sec. 2. 29-A MRSA §2311, as amended by PL 2007, c. 572, Pt. A, §17, is further amended to read:

§2311. Rules

The Commissioner of Education may adopt or amend rules consistent with this Title and in accordance with the Maine Administrative Procedure Act, concerning school bus construction, equipment, operation and identification. ~~Rules adopted pursuant to this section that concern the transportation of public preschool students are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Should the Federal Government or the State require transportation of public preschool children, the Department of Education shall develop and adopt rules regarding such~~

transportation, and those rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 74

H.P. 465 - L.D. 684

An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased

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

Sec. 1. 28-A MRSA §4, sub-§1, as amended by PL 2013, c. 476, Pt. A, §5, is further amended to read:

1. Hours for sale of liquor. Except as provided in paragraphs A to B and D, licensees may sell or deliver liquor from 5 a.m. on any day until 1 a.m. of the following day.

~~A. Licensees may not sell liquor on Sunday between the hours of 5 a.m. and 9 a.m., except on March 17th, when a licensee may sell liquor beginning at 6 a.m.~~

B. Licensees may sell liquor on January 1st of any year from 12 midnight to 2 a.m.

(1) In areas in which liquor may be sold except on Sundays, if January 1st falls on a Monday, licensees may sell or deliver liquor between 9 p.m. Sunday, December 31st and 2 a.m. January 1st, notwithstanding any local option decisions to the contrary.

D. Wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

Sec. 2. 28-A MRSA §4, sub-§§5 and 6, as enacted by PL 1987, c. 45, Pt. A, §4, are repealed.

Sec. 3. 28-A MRSA §353, as amended by PL 2013, c. 476, Pt. A, §14 and affected by §36, is further amended to read:

§353. Business hours

Agency liquor stores may be open for the sale and delivery of spirits and fortified wine between the hours of ~~6~~ 5 a.m. and 1 a.m. in municipalities and unincorporated places that have voted in favor of the operation of agency liquor stores under local option provisions. Notwithstanding any local option decisions to the contrary, agency liquor stores may be open from 9 5 a.m. Sunday to 1 a.m. the next day.