

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

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

Reference Library, the Office of Program Evaluation and Government Accountability, the Office of Legislative Information Technology and the Office of the Executive Director of the Legislative Council.

Sec. 8. 5 MRSA §1817, as amended by PL 1985, c. 737, Pt. B, §11, is further amended to read:

§1817. Printing of laws

When the Revisor of Statutes ~~shall have~~ has prepared material for a revision of the entire statutes ~~or for a volume containing the laws passed at a session of the Legislature with accompanying material of the State, he~~ the revisor shall deliver the same revision prepared for printing to the State Purchasing Agent, who shall contract for the printing, binding and delivery to the State of a sufficient number of volumes to meet the needs of the State and for sale as provided.

Sec. 9. 5 MRSA §4594-D, sub-§11, as enacted by PL 1989, c. 795, is repealed.

Sec. 10. 5 MRSA §12023, as enacted by PL 2011, c. 616, Pt. A, §1, is amended to read:

§12023. Reports to the Legislature

1. Adoption and implementation. By February 1, 2013, a governing body shall submit a report to the Legislature on the adoption and implementation status of written policies and procedures required by section 12022 and describing the measures the governing body intends to use to monitor compliance with those policies and procedures. The report must be submitted to the Executive Director of the Legislative Council in a manner established by the executive director, who shall ~~refer forward~~ it to the appropriate joint standing committee or committees of the Legislature for review.

2. Ongoing reports. By February 1, 2014, and annually thereafter, a governing body shall submit a report to the Legislature containing the following information:

A. A list of all procurements exceeding \$10,000 in the preceding year for which competitive procurement was waived under the policies adopted pursuant to section 12022, subsection 3, including procurements exceeding \$10,000 that were made under contracts previously entered into for which competitive procurement was not required. The list must include the names of the vendors and costs associated with those procurements;

B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year and the total amount contributed to each; and

C. A description of changes made in the preceding year to the written policies and procedures required by section 12022 or to the procedures used by the governing body to monitor compliance with those policies and procedures.

For the purpose of this subsection, "the preceding year" means either the most recent January 1st to December 31st budget cycle or the most recent July 1st to June 30th budget cycle, depending on the fiscal year that the entity uses.

Reports to the Legislature required by this subsection must be submitted to the Clerk of the House, the Secretary of the Senate and the Executive Director of the Legislative Council in a manner determined by the Executive Director of the Legislative Council. The Executive Director of the Legislative Council shall ~~refer forward~~ each report to the appropriate joint standing committee or committees of the Legislature.

Sec. 11. Transition. Notwithstanding the Maine Revised Statutes, Title 3, section 162, subsection 6, this Part may not be construed to affect the term of a person appointed to a 3-year term as the Executive Director of the Legislative Council, the State Law Librarian or a director of a nonpartisan staff office before October 1, 2015.

See title page for effective date.

CHAPTER 103

H.P. 597 - L.D. 878

An Act To Support College Affordability in Maine

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

Sec. 1. 20-A MRSA §11459, sub-§§1-A, 1-B and 3-A are enacted to read:

1-A. Consolidation loan. "Consolidation loan" means a loan under this chapter to or for the benefit of an individual made for the purpose of refinancing education loans that, when made, were made to or for the benefit of a student then enrolled in an eligible program of study at an institution of higher education that meets the other requirements of this chapter.

1-B. Education loan. "Education loan" means a loan made by the Federal Government under the federal Higher Education Act of 1965, 20 United States Code, Chapter 28, Title IV, Part B, as amended, or a loan made by a regulated financial institution for the express purpose of financing the costs of higher education under a program designed solely for such purposes.

3-A. Student loan. "Student loan" means a loan under this chapter to or for the benefit of a student enrolled or to be enrolled in an eligible program of study at an institution of higher education that meets the other requirements of this chapter.

Sec. 2. 20-A MRSA §11460, as amended by PL 2013, c. 34, §5, is further amended to read:

§11460. Eligibility

Loans made or insured under this chapter must be either student loans or consolidation loans. Loans made or insured under this chapter are available only to or for the benefit of a resident of the State or an individual attending an institution of higher education in the State who:

1. Graduated. ~~Has~~ For a student loan, has graduated from an approved secondary school, matriculated at a postsecondary school prior to high school graduation or successfully completed a high school equivalency diploma or its equivalent;

2. Accepted. ~~Has~~ For a student loan, has been accepted for enrollment as an undergraduate or graduate student or is in good standing as an undergraduate or graduate student at an institution of higher education in an eligible program of study;

3. Application. Has applied for a loan under the program and has provided or caused to be provided all information determined necessary by the authority in order to determine eligibility;

4. Unmet need. ~~Has~~ For a student loan, has been determined by the authority to have an unmet need for financial assistance that, if not met, will prevent the student from attending the institution of higher education of that student's choice;

5. Residency. Meets the state residency or, for a student loan, school attendance requirements that may be established by the authority by rule;

6. Loan repayment. Has been determined by the authority to have a reasonable prospect of being able to repay the loan. In appropriate cases, the authority may allow repayments to be deferred and subordinated to repayment of other student loans for such period of time as may be necessary for the borrower to be able to afford to repay the loan; and

7. Minimum academic progress. ~~Is~~ For a student loan, is making satisfactory academic progress in accordance with the standards of that institution of higher education.

See title page for effective date.

**CHAPTER 104
H.P. 97 - L.D. 139**

An Act To Allow the Electronic Transfer of Marriage Certificates

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

Sec. 1. 22 MRSA §2702-B is enacted to read:

§2702-B. Electronic transmittal of marriage certificates

The municipal clerk that issued a marriage license pursuant to Title 19-A, section 652, subsection 1 and the clerk of the municipality where the marriage occurred may issue certified copies of the marriage certificate electronically using the statewide system for the registration of vital statistics described under section 2701.

See title page for effective date.

**CHAPTER 105
H.P. 21 - L.D. 22**

An Act Regarding the Removal of Moorings and Floating Docks in Great Ponds During Ice-in Conditions

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

Sec. 1. 38 MRSA §3, as amended by PL 2003, c. 660, Pt. A, §23, is further amended by adding at the end a new paragraph to read:

A harbor master, a code enforcement officer or, in the case of a great pond located in an unorganized territory, a board of county commissioners of the county in which the unorganized territory is located may direct the master or owner of a boat or vessel to remove that person's mooring or floating dock from a great pond if the harbor master, code enforcement officer or the board of county commissioners determines that leaving the mooring or floating dock in during ice-in conditions would create a public safety hazard.

See title page for effective date.

**CHAPTER 106
S.P. 228 - L.D. 635**

An Act To Allow B.Y.O.B. Function Permit Holders To Hold Multiple Events at the Same Location

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

Sec. 1. 28-A MRSA §163, sub-§1, as amended by PL 1997, c. 373, §36, is further amended to read:

1. Permit required. A person may not hold a B.Y.O.B. function unless a permit is obtained from the bureau. The bureau may issue a permit that authorizes multiple B.Y.O.B. functions over a period of 12