

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
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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

§2602. Development of collaborative agreements

A school administrative unit may enter into collaborative agreements with other school administrative units and, whenever possible, with local and county governments and State Government or with any public institution of higher education or nonprofit corporation, to achieve efficiencies and reduce costs in the delivery of administrative, instructional and noninstructional functions.

Sec. 3. 20-A MRSA §2651, sub-§1, as enacted by PL 2011, c. 446, §1, is amended to read:

1. Fund created. The Fund for the Efficient Delivery of Educational Services, referred to in this chapter as "the fund" is created to assist in financing the cost of local and regional initiatives to improve educational opportunity and student achievement through more efficient delivery of educational programs and services. The fund is a dedicated, nonlapsing account within the department.

Sec. 4. 20-A MRSA §2651, sub-§2, as amended by PL 2013, c. 303, §1, is further amended to read:

2. Use of fund. The department shall award grants from the fund to school administrative units, municipalities, counties and groups of 2 or more such entities, including such groups that have entered into a collaborative agreement pursuant to chapter 114, to fund the costs of implementing changes in governance, administrative structures or policies that result in the creation of consolidated school administrative units; purchasing alliances; innovative, autonomous public schools, teacher-led schools, innovative public school districts or innovative public school zones; regional delivery of collaborative programs and educational services; or collaborations of municipal-school service delivery or support systems, with the purpose of improving educational opportunity and student achievement. Grants must be used to implement changes that will be sustained by the school administrative unit, municipality or county without the need for additional grants from the fund or other sources.

Sec. 5. 20-A MRSA §2651, sub-§3, ¶B-1 is enacted to read:

B-1. Facilitate the transformation of the public education system to one in which standards are used to guide curriculum and instruction and in which student advancement and graduation are based on student demonstration of proficiency in meeting educational standards;

Sec. 6. 20-A MRSA §2651, sub-§3, ¶C, as enacted by PL 2011, c. 446, §1, is amended to read:

C. Expand access to high-quality professional development, training and support for teachers and school administrators initiatives aligned with evidence-based best practices that can be linked to

improvements in student learning and expansion of opportunities for professional growth for teachers and principals pursuant to chapter 508; more fully integrate educational technology and expand access to online and digital learning opportunities; improve management and use of data to enhance instruction and increase student achievement; broaden access to opportunities for career and technical education; expand access to early college opportunities for high school students; or increase student choice; or

Sec. 7. 20-A MRSA §2651, sub-§5, as enacted by PL 2011, c. 446, §1, is amended to read:

5. Rules. Rules adopted or amended by the department to implement this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 252

H.P. 843 - L.D. 1225

An Act Concerning Swim Area Permits

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

Sec. 1. 12 MRSA §1896, as amended by PL 2001, c. 693, §3 and affected by §11 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

§1896. Boating Facilities Fund

There is created within the bureau the Boating Facilities Fund, referred to in this subchapter as the "fund." The fund, as funded under Title 36, section 2903-D, subsection 1, must be available to the director in carrying out the duties of the bureau under this subchapter. This fund is a continuous carrying account. The fund also receives fees collected under subchapter 10 and is available to the director in carrying out the duties specified under subchapter 10.

Sec. 2. 12 MRSA §1900, sub-§§3 to 5, as enacted by PL 2009, c. 312, §1, are amended to read:

3. Swim area prohibition. A person may not establish or maintain a swim line or a developed swim area without a permit issued under subsection 4.

~~A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged. Each day a person violates this subsection is a separate violation.~~

~~B. A person who violates this subsection after having been adjudicated as having committed 3 or~~

~~more civil violations under this subchapter within the previous 5 year period commits a Class E crime.~~

4. Issuance of permit; revocation. The director may issue a permit to establish and maintain a swim line or a developed swim area within the water safety zone only to a qualified entity to establish and maintain a developed swim area within the water safety zone and only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public.

A. If the director determines, after notice and an opportunity for hearing, that a swim line or developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

B. If the Commissioner of Inland Fisheries and Wildlife believes that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public and is interfering with boating or fishing, the commissioner shall notify the director and may request that the permit for the swim line or developed swim area be revoked pursuant to paragraph A.

The length of the area delineated by a swim line or of a developed swim area may not exceed 50% of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater, except that in no event may the developed swim area or the area delineated by a swim line extend beyond the shore frontage of the property. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.

5. Fee; expiration. Permits issued under subsection 4 expire 5 years after the date of issuance. The director shall establish by rule a fee for the permits, except that a developed swim area established and operated by the State or a governmental entity or a recreational camp may not be charged a fee and its permit does not expire as long as no alterations to the developed swim area are made after the permit is issued. All revenues from fees must be deposited in the Boating Facilities Fund created under section 1896.

See title page for effective date.

CHAPTER 253

H.P. 945 - L.D. 1395

An Act To Implement the Recommendations of the Government Oversight Committee To Ensure Legislative Review of Reports Submitted by Quasi-independent State Agencies

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

Sec. 1. 5 MRSA §12023, sub-§3 is enacted to read:

3. Committee review and report. By March 1st of every second regular session, beginning in 2016, a joint standing committee of the Legislature receiving reports pursuant to subsection 2 shall review the reports received within the past 2 calendar years, and gather additional information as necessary from the submitting entities, to assess whether policies and procedures adopted by a governing body in accordance with section 12022, subsections 3 to 5 are consistent with expectations established in those subsections and whether all reported waivers of competitive procurement and reported contributions made are in compliance with the adopted policies and procedures, including proper justification and documentation. The joint standing committee shall report the results of its review, including any areas that should be reviewed in more depth, to the joint legislative committee established to oversee program evaluation and government accountability matters.

See title page for effective date.

CHAPTER 254

H.P. 971 - L.D. 1425

An Act To Amend the Laws Relating to Corporations and Limited Partnerships

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

Sec. 1. 13-B MRSA §1118 is enacted to read:

§1118. Late reinstatement of nonprofit corporation after administrative dissolution

1. Application to reinstate nonprofit corporation. A nonprofit corporation that has been administratively dissolved for more than 6 years may apply to the Secretary of State for reinstatement. The application must: