

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

mending, directly or via a product or service, any educational materials, online content, services or other products to any student or the student's family if this State or a school administrative unit determines that such products will benefit the student and the State or school administrative unit does not receive compensation for developing, enabling or communicating such recommendations.

I. Nothing in this chapter authorizes the dissemination of information in violation of section 6001.

Sec. 2. Transition. Pursuant to the Maine Revised Statutes, Title 20-A, chapter 13, an operator who enters into a signed, written contract with a school, teacher or local educational agency prior to the effective date of this Act must meet the requirements of this Act by the beginning of the 2016-17 school year.

See title page for effective date.

**CHAPTER 257
S.P. 300 - L.D. 856**

**An Act To Amend the
Competitive Skills Scholarship
Program To Allow for
Participation in Early College
and Career and Technical
Education Programs**

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

Sec. 1. 26 MRSA §2033, sub-§5-A is enacted to read:

5-A. Secondary student eligibility. Notwithstanding subsection 5, paragraph A, before January 1, 2020, a full-time student at a public secondary school enrolled in a career and technical education program at a career and technical education center or a career and technical education region may be granted enrollment in the program if the student applies for enrollment and meets the requirements of subsection 5, paragraphs B, C, D and E. For the purpose of determining eligibility under subsection 5, paragraph C, "income" includes the income of the student's family as defined by department rule.

The commissioner may not expend, on an annualized basis, more than 15% of the annual revenue to the fund for tuition, other allowable costs and administration and case management for students enrolled in the program under this subsection and the costs for any of these students who continue to participate in the program after attaining 18 years of age.

This subsection is repealed January 1, 2020.

Sec. 2. Report. The Department of Labor shall submit a report to the joint standing committee of the Legislature having jurisdiction over workforce training matters by January 1, 2019 assessing the status of the inclusion of public secondary school students enrolled in a career and technical education program at a career and technical education center or a career and technical education region in the Competitive Skills Scholarship Program pursuant to the Maine Revised Statutes, Title 26, section 2033, subsection 5-A and the effect of this inclusion on the Competitive Skills Scholarship Fund and including any recommended legislation related to the report's findings. The joint standing committee of the Legislature having jurisdiction over workforce training matters may report out a bill to address issues raised by the report to the First Regular Session of the 129th Legislature.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF
Employment Services Activity 0852**

Initiative: Allocates funds for tuition costs associated with expanding the Competitive Skills Scholarship Program to include eligible full-time secondary students at public secondary schools.

COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17
All Other	\$35,000	\$131,600
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$35,000	\$131,600

Employment Services Activity 0852

Initiative: Allocates funds for one CareerCenter Consultant position beginning in fiscal year 2015-16 and an additional CareerCenter Consultant position beginning in fiscal year 2016-17 to support the additional workload associated with expanding the Competitive Skills Scholarship Program to include certain full-time secondary students at public secondary schools.

COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	2.000
Personal Services	\$45,111	\$121,096
All Other	\$19,750	\$39,500
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$64,861	\$160,596

LABOR, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$99,861	\$292,196
DEPARTMENT TOTAL - ALL FUNDS	\$99,861	\$292,196

See title page for effective date.

**CHAPTER 258
S.P. 377 - L.D. 1074**

An Act To Make Damaging a Public Easement with a Motor Vehicle a Class E Crime

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

Sec. 1. 17 MRSA §3853-D, sub-§1, as amended by PL 1995, c. 539, §1, is further amended to read:

1. Damage or destruction to farmland, forest land or public easement. A person who, as a result of operating a motor vehicle on farmland or forest land or a public easement in fact, damages or destroys crops, forest products, personal property or roads on that farmland or forest land or public easement, commits a Class E crime.

Sec. 2. 17 MRSA §3853-D, sub-§2, ¶A-3 is enacted to read:

A-3. "Emergency responder" means a person providing firefighting, rescue or emergency medical services.

Sec. 3. 17 MRSA §3853-D, sub-§2, ¶C is enacted to read:

C. "Public easement" has the same meaning as in Title 23, section 3021, subsection 2.

Sec. 4. 17 MRSA §3853-D, sub-§3, ¶¶C and D, as amended by PL 1995, c. 539, §1, are further amended to read:

C. An agent or employee of a landowner who operates a motor vehicle on farmland or forest land owned by that landowner in the scope of that agent's or employee's agency or employment; or

D. A law enforcement officer who, in an emergency and in the scope of that law enforcement officer's employment, operates a motor vehicle on farmland or forest land owned by another; or on a public easement; or

Sec. 5. 17 MRSA §3853-D, sub-§3, ¶E is enacted to read:

E. An emergency responder who, in an emergency and in performing the duties of the emergency responder, operates a motor vehicle on farmland or forest land owned by another or on a public easement.

See title page for effective date.

**CHAPTER 259
S.P. 405 - L.D. 1136**

An Act To Amend the Maine Business Corporation Act

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

Sec. 1. 13-C MRSA §102, sub-§32-A, ¶B, as enacted by PL 2007, c. 289, §3, is amended to read:

B. "Qualified director" means a person who, at the time action is to be taken under:

- (1) Section 755, does not have:
 - (a) A material interest in the outcome of the proceeding; or
 - (b) A material relationship with a person who has such an interest;
- (2) Section 854 or 856:
 - (a) Is not a party to the proceeding;
 - (b) Is not a director as to whom a transaction is a director's conflicting-interest transaction or who sought a disclaimer of the corporation's interest in a business opportunity under section 881, which transaction or disclaimer is challenged in the proceeding; and
 - (c) Does not have a material relationship with a director described in division (a) or (b);
- (3) Section 873, is not a director:
 - (a) As to whom the transaction is a director's conflicting-interest transaction; or
 - (b) Who has a material relationship with another director as to whom the transaction is a director's conflicting-interest transaction; or
- (4) Section 881, would be a qualified director under subparagraph (3) if the business opportunity was a director's conflicting-interest transaction; or