

# 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.**

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



(e) Number of instructional hours required to complete the digital educational content or learning resource;

(2) A rating and recommendation system for students and educators to provide feedback on digital educational content and learning resources included in the digital content library;

(3) Tracking use of specific digital educational content or learning resources; and

(4) Accessibility of the digital content library from any device with Internet connectivity.

**4. Review.** The commissioner may convene an advisory group consisting of, at a minimum, a representative from the department, a public school educator from the State and a representative from a statewide educational association or organization to review and suggest modifications and updates to the digital content library established pursuant to subsection 1. The commissioner shall review and may approve or modify the recommendations of the advisory group regarding the requirements set forth in this section.

**5. Training.** The commissioner may provide professional development and training on the use of the digital content library.

**6. Power to contract.** The commissioner may enter into a contract with an entity to implement any recommendations of the advisory group under subsection 4.

**7. Report.** The commissioner shall report annually by January 15th to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs regarding the digital content library established pursuant to subsection 1, and specifically the items in this section.

**Sec. 2. Digital content library advisory group.** The Commissioner of Education shall convene an advisory group to design the digital content library established under the Maine Revised Statutes, Title 20-A, chapter 805. The advisory group must include a representative from the Department of Education, a public school educator in the State and a representative from a statewide educational association or organization. The advisory group shall recommend to the commissioner methods for fulfilling the requirements of Title 20-A, section 19301. In addition, the advisory group shall:

1. Recommend a business model that allows for competitive exchange of digital educational content and learning resources that maintains low costs for schools and rewards authors when their digital educational content and learning resources are accessed through the digital content library; and

2. Establish an implementation plan and timeline for the digital content library.

The recommendations of the advisory group must be included, in written form, in the report by the commissioner to the Joint Standing Committee on Education and Cultural Affairs required by January 15, 2016 under Title 20-A, section 19301, subsection 7.

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

Effective July 16, 2015.

## CHAPTER 373

### S.P. 59 - L.D. 125

#### An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer

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

**Sec. 1. 39-A MRSA §328-B, sub-§1, ¶¶B and C,** as enacted by PL 2009, c. 408, §1, are amended to read:

B. "Employed" means to be employed as an active duty firefighter or by the Office of the State Fire Marshal or to be an active member of a volunteer fire association with no compensation other than injury and death benefits.

C. "Firefighter" means a member of a municipal fire department or volunteer fire association whose duties include the extinguishment of fires or an investigator or sergeant in the Office of the State Fire Marshal.

**Sec. 2. 39-A MRSA §328-B, sub-§6,** as enacted by PL 2009, c. 408, §1, is amended to read:

**6. Length of service.** In order to qualify for the presumption under subsection 2, the firefighter must have been employed as a firefighter for 5 years and, except for an investigator or sergeant in the Office of the State Fire Marshal, regularly responded to firefighting or emergency calls.

**Sec. 3. 39-A MRSA §328-B, sub-§8** is enacted to read:

**8. Safety equipment for investigators and sergeants in the Office of the State Fire Marshal.** In order to qualify for the presumption under subsection 2, an investigator or sergeant in the Office of the State Fire Marshal must represent that the investigator or sergeant used protective equipment in compliance with the policies of the Office of the State Fire Marshal in



effect during the course of the investigator's or sergeant's employment.

See title page for effective date.

## CHAPTER 374

### S.P. 501 - L.D. 1369

#### An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity

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

**Sec. 1. 12 MRSA §10503, sub-§6**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**6. Judgment against claimant.** If the court finds the claimant entitled to no part of the articles seized, the court shall render judgment against that claimant for the libellant for costs, including costs incurred to remove or euthanize the fish or wildlife possessed without a permit, to be taxed as in civil cases before the court, and issue execution thereon, and declare the articles forfeited to the State;

**Sec. 2. 12 MRSA §12151, sub-§1**, as enacted by PL 2003, c. 655, Pt. B, §200 and affected by §422, is amended to read:

**1. Prohibition.** A person may not keep wildlife in captivity except as provided under ~~sections~~ section 10105, subsection 10, sections 12102, 12152, ~~12155~~, 12157, 12158 and 12704 and Title 7, section 1809 or except if the wild animal was purchased from a dealer or pet shop licensed under Title 7, section 3933.

**Sec. 3. 12 MRSA §12151, sub-§2, ¶A**, as enacted by PL 2003, c. 655, Pt. B, §200 and affected by §422, is amended to read:

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than ~~\$100 nor more than~~ \$500 may be adjudged.

**Sec. 4. 12 MRSA §12151, sub-§2, ¶C** is enacted to read:

C. The department may seize fish or wildlife in accordance with sections 10502 and 10503 from a person who violates subsection 1.

**Sec. 5. 12 MRSA §12152, sub-§1-A** is enacted to read:

**1-A. Permit required.** Except as otherwise provided in this Part, a person may not import wildlife into or possess wildlife in the State or receive or possess wildlife imported into the State. The department shall maintain a list of unregulated fish and wildlife species that is available to the public. Each day a per-

son violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable permit fee must be imposed. The commissioner may grant a permit to introduce, import, transport, receive or possess fish or gametes in accordance with the provisions of section 12509.

**Sec. 6. 12 MRSA §12152, sub-§3**, as amended by PL 2005, c. 117, §2, is repealed and the following enacted in its place:

**3. Issuance.** The commissioner may issue a permit to a person permitting the introduction, importation, possession and use of wildlife in accordance with the provisions of subsection 5.

**Sec. 7. 12 MRSA §12152, sub-§§3-A, 3-B and 3-C** are enacted to read:

**3-A. Restrictions.** A permit issued pursuant to this section does not authorize the permittee to:

A. Possess, propagate or sell deer, bear, moose, wild turkey, hybrid wild turkey or wild turkey-domestic turkey cross nor does it authorize the permittee to possess, propagate or sell any wild animal taken in accordance with section 11601, 11602, 12401, 12402 or 12404; or

B. Import any species of wild turkey, hybrid wild turkey or wild turkey-domestic turkey cross or the eggs of these species.

**3-B. Application fees.** Each applicant for a permit to introduce or import fish or wildlife into or possess fish or wildlife in the State shall submit a written application in the form required by the commissioner. The application must be accompanied by a nonrefundable application fee as follows:

A. Propagation, \$27;

B. Commercial exhibition or attracting trade, \$250;

C. Personal use, \$27;

D. Rehabilitation, no fee;

E. Importation, \$250;

F. Possession, \$250;

G. Professional or vocational husbandry, \$27; and

H. Therapy or aid to disabled persons, \$27.

**3-C. Issuance for unpermitted wildlife.** The commissioner may issue a permit under this section to a person who possesses wildlife without a permit for which a permit is required if the possession would have been allowed had the person applied for a permit before importing or possessing the wildlife. A person issued a permit under this subsection must pay a fee of \$500 in addition to the applicable application fee and