

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2016 to April 29, 2016

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 29, 2016

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

Augusta, Maine
2016

3. Attorney's fees and costs. If the plaintiff under subsection 1 is the prevailing party, the plaintiff may be awarded reasonable attorney's fees and costs.

4. Application. This section does not apply to:

A. A law enforcement officer who, in an emergency and within the scope of that law enforcement officer's employment, operates a motor vehicle on a public easement; or

B. An emergency responder who, in an emergency and while performing the duties of an emergency responder, operates a motor vehicle on a public easement.

Sec. 9. 35-A MRSA §2308, as amended by PL 2011, c. 623, Pt. B, §9, is further amended to read:

§2308. Protection of utility facilities upon discontinuance of public ways

In proceedings for the discontinuance of public ways, public ways may be discontinued in whole or in part. The discontinuance of a town way must be pursuant to Title 23, section ~~3026~~ 3026-A. Unless an order discontinuing a public way specifically provides otherwise, the public easement provided for in Title 23, section ~~3026~~ 3026-A includes an easement for public utility facilities and for the permitted facilities of entities authorized under section 2301 to construct lines. A utility or entity may continue to maintain, repair and replace its installations within the limits of the way or may construct and maintain new facilities within the limits of the discontinued way, if it is used for travel by motor vehicles, in order to provide utility or telecommunications service, upon compliance with the provisions of sections 2503, 2505, 2506, 2507 and 2508.

Sec. 10. Municipality to develop or supplement list of town ways. A municipality may develop or update publicly available inventories relating to all known town ways or former town ways, or segments of town ways, discontinued and discontinued by abandonment within its municipal borders and share such inventories with the Department of Transportation, Bureau of Maintenance and Operations. Information pertaining to discontinued town ways may include a sufficient description of the town way or former town way, any known judicial determination regarding the status of a public easement on the former town way, the date of discontinuance and the governmental entity effecting the discontinuance. Information pertaining to town ways discontinued by abandonment may include a sufficient description of the town way or former town way, any known judicial determination regarding the status of a public easement on the former town way and the last known date of regular, publicly funded maintenance of the town way or former town way or segment of the town way. Boards of county commissioners, landowners, road associations, surveyors and other interested parties

may share relevant information with municipalities and the Department of Transportation, Bureau of Maintenance and Operations. By November 1, 2018, the Department of Transportation shall share with the joint standing committee of the Legislature having jurisdiction over state and local government matters an update on the status of any road inventories developed by municipalities, including any noted challenges or obstacles associated with determining the status of roads discontinued for public maintenance by units of government other than the municipalities' legislative bodies.

See title page for effective date.

**CHAPTER 465
H.P. 1100 - L.D. 1612**

**An Act To Improve the
Delivery of Services and
Benefits to Maine's Veterans
and Provide Tuition Assistance
to Members of the Maine
National Guard**

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

PART A

Sec. A-1. 37-B MRSA §3, sub-§1, ¶D, as amended by PL 2013, c. 469, §1 and c. 569, §2, is further amended to read:

D. Have the following powers and duties.

- (1) The Adjutant General shall administer the department subordinate only to the Governor.
- (2) The Adjutant General shall establish methods of administration consistent with the law necessary for the efficient operation of the department.
- (3) The Adjutant General may prepare a budget for the department.
- (4) The Adjutant General may transfer personnel from one bureau to another within the department.
- (5) The Adjutant General shall supervise the preparation of all state informational reports required by the federal military establishment.
- (6) The Adjutant General shall keep an accurate account of expenses incurred and, in accordance with Title 5, sections 43 to 46, make a full report to the Governor as to the condition of the military forces, and as to all business transactions of the Military Bureau, in-

cluding detailed statements of expenditures for military purposes.

(7) The Adjutant General is responsible for the custody, care and repair of all military property belonging to or issued to the State for the military forces and shall dispose of military property belonging to the State that is unserviceable. The Adjutant General shall account for and deposit the proceeds from that disposal with the Treasurer of State, who shall credit them to the Capital Repair, Maintenance, Construction and Acquisition Account of the Military Bureau.

(8) The Adjutant General may sell for cash to officers of the state military forces, for their official use, and to organizations of the state military forces, any military or naval property that is the property of the State. The Adjutant General shall, with an annual report, render to the Governor an accurate account of the sales and deposit the proceeds of the sales with the Treasurer of State, who shall credit them to the General Fund.

(9) The Adjutant General shall represent the state military forces for the purpose of establishing the relationship between the federal military establishment and the various state military staff departments.

(10) The Adjutant General shall accept, receive and administer federal funds for and on behalf of the State that are available for military purposes or that would further the intent and specific purposes of this chapter and chapter 3. The Adjutant General shall provide the personnel, supplies, services and matching funds required by a federal cost-sharing arrangement pursuant to 31 United States Code, Chapters 63 and 65 (2013); 32 United States Code (2013); and National Guard Regulation 5-1 (2010). The Adjutant General shall receive funds and property and an accounting for all expenditures and property acquired through such a federal cost-sharing arrangement and make returns and reports concerning those expenditures and that property as required by such a federal cost-sharing arrangement.

(11) The Adjutant General shall acquire, construct, operate and maintain military facilities necessary to comply with this Title and Title 32 of the United States Code and shall operate and maintain facilities now within or hereafter coming within the jurisdiction of the Military Bureau.

(12) The Adjutant General may adopt rules pertaining to compliance with state and fed-

eral contracting requirements, subject to Title 5, chapter 375. Those rules must provide for approval of contracts by the appropriate state agency.

(13) The Adjutant General shall allocate and supervise any funds made available by the Legislature to the Civil Air Patrol.

(14) The Adjutant General shall report at the beginning of each biennium to the joint standing committee of the Legislature having jurisdiction over veterans' affairs on any recommended changes or modifications to the laws governing veterans' affairs, particularly as those changes or modifications relate to changes in federal veterans' laws. The report must include information on the status of communications with the United States Department of Veterans Affairs regarding the potential health risks to and the potential disabilities of veterans who as members of the Maine National Guard were exposed to environmental hazards at the Canadian military support base in Gagetown, New Brunswick, Canada.

(15) The Adjutant General may receive personal property from the United States Department of Defense that the Secretary of Defense has determined is suitable for use by agencies in law enforcement activities, including counter-drug activities, and in excess of the needs of the Department of Defense pursuant to 10 United States Code, Section 2576a, and transfer ownership of that personal property to state, county and municipal law enforcement agencies notwithstanding any other provision of law. The Adjutant General may receive excess personal property from the United States Department of Defense for use by the department, notwithstanding any other provision of law.

(16) The Adjutant General may establish a science, mathematics and technology education improvement program for schoolchildren known as the STARBASE Program. The Adjutant General may accept financial assistance and in-kind assistance, advances, grants, gifts, contributions and other forms of financial assistance from the Federal Government or other public body or from other sources, public or private, to implement the STARBASE Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the STARBASE Program.

(17) The Adjutant General shall establish a system, to be administered by the Director of the Bureau of Maine Veterans' Services, to

express formally condolence and appreciation to the closest surviving family members of members of the United States Armed Forces who, since September 11, 2001, are killed in action or die as a consequence of injuries that result in the award of a Purple Heart medal. In accordance with the existing criteria of the department for the awarding of gold star medals, this system must provide for the Adjutant General to issue up to 3 gold star medals to family members who reside in the State, one to the spouse of the deceased service member and one to the parents of the service member. If the parents of the service member are divorced, the Adjutant General may issue one medal to each parent. If the service member has no surviving spouse or parents or if they live outside of the State, the Adjutant General may issue a gold star medal to the service member's next of kin, as reported to the department, who resides in the State.

(18) The Adjutant General may establish a National Guard Youth Challenge Program consistent with 32 United States Code, Section 509 (1990). The Adjutant General may accept financial assistance from the Federal Government or other public body or from other sources, public and private, to implement the National Guard Youth Challenge Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the program.

(19) The Adjutant General may execute cooperative agreements for purposes described or defined by this Title and other arrangements necessary to operate the department.

(20) The Adjutant General shall act as the Governor's homeland security advisor.

(21) The Adjutant General shall implement a program to identify residents of the State who are not considered veterans but are military retirees or former members of the Maine Army National Guard or Maine Air National Guard who successfully completed service.

Sec. A-2. 37-B MRSA §501, first ¶, as amended by PL 1997, c. 455, §17, is further amended to read:

The Bureau of Maine Veterans' Services, referred to in this chapter as the "bureau," is established and shall provide informational services, program assistance, memorial facilities and financial aid to veterans in the State and their dependents in order to ensure that they receive all entitlements due under the law, are relieved to the extent possible of financial hardship, receive every opportunity for self-improvement

through higher education and are afforded proper recognition for their service and sacrifice to the Nation. The bureau shall serve as the primary source of information for veterans in the State regarding all services, benefits and honors administered by the State and, to the maximum extent possible, services and benefits provided by the United States Department of Veterans Affairs, veterans' service organizations and other organizations dedicated to serving veterans.

Sec. A-3. 37-B MRSA §503, sub-§§7 and 8 are enacted to read:

7. Marketing and outreach program. The director shall implement, as a core function of the bureau, a marketing and outreach program to increase, to the greatest extent practicable, awareness of services and benefits available to veterans and family members of veterans and to encourage veterans to seek the benefits and services to which they are entitled. The director is authorized to employ personnel dedicated to the marketing and outreach program objectives described in this subsection. The director is authorized to enter into memoranda of understanding with other state agencies to allow for the sharing of information to achieve the objectives of the program. Upon request of the director, agencies required to enter into memoranda of understanding with the director include, but are not limited to, the Bureau of Motor Vehicles under the Department of the Secretary of State, the Bureau of Parks and Lands under the Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife, the Department of Health and Human Services, the University of Maine System and the Maine Community College System. The marketing and outreach program objectives must include, but are not limited to:

A. Identifying residents of the State who are veterans;

B. Increasing awareness of the bureau for veterans and family members of veterans;

C. Implementing media and technology to encourage veterans to self-identify to the bureau and communicating to veterans and family members of veterans about the services and benefits available to them;

D. Attendance by bureau personnel at events organized for and by veterans that, as determined by the director, facilitate the objectives of this subsection; and

E. Establishing benchmarks to measure the effectiveness of marketing and outreach efforts.

The program objectives listed in this subsection may also be used to assist the commissioner to identify residents of this State who are military retirees or former members of the Army National Guard or Air National Guard who completed service requirements but

never served on active duty pursuant to section 3, subsection 1, paragraph D, subparagraph (21).

8. Records management system. The director shall acquire and maintain an electronic database with secured remote access capabilities to facilitate management of records of veterans, spouses of veterans and veterans' dependents served by the bureau. When selecting a records management system, the director shall ensure that, at a minimum, the system supports the bureau in meeting the following objectives:

- A. Reducing reliance on paper records;
- B. Allowing for immediate access by authorized users to update records;
- C. Displaying a complete record of assistance provided by the bureau to veterans and veterans' family members; and
- D. Providing efficient and timely customer service to veterans seeking assistance from the bureau.

Sec. A-4. Director of the Bureau of Maine Veterans' Services to establish mobile Veteran Service Officer positions. No later than October 15, 2016, the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall establish 2 additional Veteran Service Officer positions within the bureau. The positions may not be assigned exclusively to a particular region or office within the State but must be used to assist veterans in the State where the demand for services is greatest, as determined by the director.

PART B

Sec. B-1. 30-A MRSA §5047, sub-§1, as amended by PL 2007, c. 600, §2, is further amended to read:

1. Membership; chair. The council consists of ~~13~~ 14 members appointed as follows:

- A. Six members appointed by the Governor, 2 from each of 3 regional homeless councils, based on nominations provided by the 3 regional homeless councils;
- B. The Director of the Maine State Housing Authority;
- C. Three members appointed jointly by the President of the Senate and the Speaker of the House, one from each of 3 regional homeless councils, based on nominations provided by the 3 regional homeless councils;
- D. One member representing the Office of the Governor, who serves as the chair;
- E. The Commissioner of Health and Human Services or the commissioner's designee; ~~and~~

F. The Commissioner of Corrections or the commissioner's designee; ~~and~~

G. The Director of the Bureau of Maine Veterans' Services or the director's designee.

Sec. B-2. 30-A MRSA §5048, sub-§7, as amended by PL 2007, c. 600, §4, is further amended to read:

7. Review, monitor and implement plans. On an annual basis, review and comment on plans submitted pursuant to Title 34-B, section 1221 and propose amendments and updates to and implement a plan to end homelessness; ~~and~~

Sec. B-3. 30-A MRSA §5048, sub-§8, as enacted by PL 2007, c. 600, §5, is amended to read:

8. Advise departments. Advise the Department of Corrections and the Department of Health and Human Services on issues related to homelessness and other issues related to the duties of the council; ~~and~~

Sec. B-4. 30-A MRSA §5048, sub-§9 is enacted to read:

9. Develop strategic plan regarding homelessness among veterans. Develop strategies to enhance coordination and communication among agencies and organizations that provide services that seek to place veterans in permanent housing and that seek to improve access to services known to support housing stability for veterans who are experiencing homelessness or veterans who are at risk of homelessness. The council shall develop and periodically review a strategic plan that:

A. Establishes a baseline for homelessness in the State from which improvements can be measured. In determining the baseline, the council is not required to use the federal definition of homelessness and may include levels of housing instability or ranges of homelessness;

B. Develops a method of measuring homelessness among veterans in the State to demonstrate whether efforts to reduce the number of homeless veterans in the State have been successful;

C. Identifies specific processes for improving communication among agencies that provide services to veterans, including services unrelated to homelessness, that will facilitate identification of veterans in need of housing assistance or veterans who may be at risk of homelessness and maximize resources available to address homelessness among veterans; and

D. Develops a framework and timeline for determining progress of communication and coordination efforts targeting homelessness among veterans and the effectiveness of those efforts in reducing homelessness among veterans.

The Director of the Bureau of Maine Veterans' Services shall periodically report to the council regarding the progress of implementing the strategies described in this subsection. Beginning February 1, 2018, the director shall report annually to the joint standing committee of the Legislature having jurisdiction over veterans affairs on the implementation of the strategic plan. The report must include, but is not limited to, the effect of the strategic plan on homelessness among veterans based on the measurements required to be established by this subsection.

Sec. B-5. Development of initial strategic plan. By February 15, 2017, the Statewide Homeless Council, established in the Maine Revised Statutes, Title 30-A, chapter 202, subchapter 5-A, shall develop an initial strategic plan pursuant to Title 30-A, section 5048, subsection 9.

Sec. B-6. Report to Legislature. By March 1, 2017, the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall present the strategic plan developed pursuant to the Maine Revised Statutes, Title 30-A, section 5048, subsection 9, including a description of the process used to develop it, to the joint standing committee of the Legislature having jurisdiction over veterans affairs.

Sec. B-7. Director of the Bureau of Maine Veterans' Services to establish Veteran Service Officer position. No later than February 1, 2017, the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall establish one additional Veteran Service Officer position within the bureau. Duties must include coordination of efforts to address homelessness among veterans in the State.

PART C

Sec. C-1. 36 MRSA §1760, sub-§100 is enacted to read:

100. Certain veterans' service organizations. Sales to an organization that provides services to veterans and their families that is chartered under 36 United States Code, Subtitle II, Part B, including posts or local offices of that organization, and that is recognized as a veterans' service organization by the United States Department of Veterans Affairs.

Sec. C-2. Effective date. This Part takes effect August 1, 2016.

PART D

Sec. D-1. 37-B MRSA §152, sub-§2, as amended by PL 2003, c. 488, §1 and affected by §5, is further amended to read:

2. Rental proceeds. Except as provided in section ~~353~~ 353-A, rental proceeds from the rental of armories under this section must be paid into the State

Treasury and credited to the Armory Rental Fund to be used for operation and maintenance expenses at the various state-owned facilities of the Military Bureau. Rental proceeds credited to the Armory Rental Fund are in addition to the appropriations made for operation and maintenance expenses included for that purpose in the Military Fund.

Sec. D-2. 37-B MRSA §154, as amended by PL 2013, c. 469, §2, is further amended to read:

§154. Capital Repair, Maintenance, Construction and Acquisition Account

Except as provided in section ~~353~~ 353-A, the Capital Repair, Maintenance, Construction and Acquisition Account is established in the Military Bureau as a nonlapsing fund to assist in defraying the capital repair, maintenance and construction of state-owned properties of the Military Bureau, as well as purchasing land for training sites. The bureau may not spend \$500,000 or more for any single capital repair, maintenance or construction project or land acquisition unless that expenditure is approved in advance by the Legislature. Not later than January 1st of each odd-numbered year, the bureau shall submit a list to the Legislature that identifies the location, nature and cost of each planned capital repair, maintenance and construction project and land acquisition costing less than \$500,000.

Sec. D-3. 37-B MRSA §155, as amended by PL 2003, c. 488, §3 and affected by §5, is further amended to read:

§155. Reimbursement fund

The Maine National Guard may provide services in accordance with section 181-A, subsections 4 and 5 and section 183 for federal, state, county, regional and municipal governments and agencies and nongovernmental entities and may charge for those services. Except as provided in section ~~353~~ 353-A, the fees collected must first be allocated for funding the cost of providing those services, and any remaining fees may be expended only within the Military Bureau.

Sec. D-4. 37-B MRSA §352, sub-§§4 to 7, as enacted by PL 2003, c. 488, §4 and affected by §5, are amended to read:

4. State postsecondary education institution. "State postsecondary education institution" means the University of Maine System, the Maine Maritime Academy, the Maine ~~Technical~~ Community College System or any other college or university system established as a public instrumentality of this State.

5. Tuition. "Tuition" means the total semester, trimester, quarter or term or credit hour cost of instruction to the student as periodically published in the catalog of a state postsecondary education institution, ~~including mandatory fees and lab fees but~~ excluding

~~all~~ mandatory fees and lab fees and other expenses such as book charges, room and board.

6. Tuition benefit. "Tuition benefit" means tuition provided by the Maine National Guard using either state or federal funds or waivers of tuition from a state postsecondary education institution.

7. Unsatisfactory participant. "Unsatisfactory participant" means a member who has accumulated 9 or more unexcused absences from unit training assemblies or who within a 12-month period, without proper authorization, fails to attend or complete the entire period of annual training.

Sec. D-5. 37-B MRSA §353, as amended by PL 2013, c. 469, §5, is repealed.

Sec. D-6. 37-B MRSA §§353-A, 353-B and 353-C are enacted to read:

§353-A. Maine National Guard Postsecondary Fund

The Maine National Guard Postsecondary Fund, referred to in this section as "the fund," is established in the Military Bureau as a nonlapsing account in the General Fund to provide tuition benefits for eligible Maine National Guard members to state postsecondary education institutions. Deposits to the fund may come from sources including but not limited to: the Armory Rental Fund established in section 152; the Capital Repair, Maintenance, Construction and Acquisition Account established in section 154; the reimbursement fund established in section 155; revenue generated from the Maine Military Authority; and rental income fees under Title 5, section 1742, subsection 26, paragraph B. The Adjutant General is responsible for oversight and allocation of these funds in accordance with this subchapter. The Adjutant General shall provide a report to the Commissioner of Education on the first day of January each calendar year accounting for the use of all funds in the fund.

§353-B. Tuition benefit for member

A member who meets the prerequisites of section 354 is entitled to a 100% tuition benefit at a state postsecondary education institution. The benefit applies to tuition for a member enrolled or accepted for admission to a state postsecondary education institution on a full-time or part-time basis. To be eligible for the benefit, a member must be enrolled full-time or part-time at a state postsecondary education institution. The benefit may be used to earn one credential at the following levels: baccalaureate, associate or certificate and licensure. The benefit must be reduced by any other tuition assistance received by a member not related to housing costs or non-tuition expenses.

§353-C. Waiver required

If the cost of providing the tuition benefit under this subchapter exceeds the amount of money avail-

able in the Maine National Guard Postsecondary Fund established in section 353-A, the tuition benefit must be provided in the form of a tuition waiver provided by the state postsecondary education institution.

Sec. D-7. 37-B MRSA §354, sub-§§2 and 3, as enacted by PL 2003, c. 488, §4 and affected by §5, are amended to read:

2. Participant. Be a satisfactory participant in the Maine National Guard who has not previously earned a bachelor's degree or equivalent and be a member in good standing of the Maine National Guard at the beginning of and throughout the entire semester for which the member receives benefits; and

3. Contractual commitment. Enter into a written contractual commitment with the Maine National Guard to serve in the Maine National Guard for at least one year beyond the end of the term for which a tuition benefit is granted; and

Sec. D-8. 37-B MRSA §354, sub-§4 is enacted to read:

4. Pursued all other benefits available. Have applied for all available tuition benefits not related to housing costs or non-tuition expenses, including but not limited to:

- A. Federally funded military tuition assistance;
- B. Employer tuition reimbursements or assistance; and
- C. Federal grants, such as a Federal Pell Grant.

Sec. D-9. 37-B MRSA §355, as enacted by PL 2003, c. 488, §4 and affected by §5, is amended to read:

§355. Cessation of tuition benefit

The tuition benefit granted under this subchapter for a member ceases upon:

1. Credit hours. Accumulation of ~~150~~ 130 credit hours or the equivalent of the tuition benefit as provided in this subchapter when the benefit is used in part or in whole;

2. Unsatisfactory participation. Unsatisfactory participation in the Maine National Guard as certified to the state postsecondary education institution ~~or regionally accredited private college or university~~ by the Adjutant General; ~~or~~

3. Good academic standing. Failure by the member to maintain good academic standing and a cumulative grade point average of at least 2.0 on a 4.0 scale at the state postsecondary education institution ~~or regionally accredited private college or university;~~ or

4. Restitution plan. Imposition of a plan for the member to pay restitution of tuition benefits in accordance with this subchapter.

Sec. D-10. 37-B MRSA §356, sub-§2, as enacted by PL 2003, c. 488, §4 and affected by §5, is amended to read:

2. Repay tuition. If the member becomes an unsatisfactory participant or does not remain in good academic standing with the state postsecondary education institution ~~or regionally accredited private college or university~~, then the member shall repay the full amount of a tuition benefit for all courses taken during the preceding semester, trimester, quarter or term to the Maine National Guard.

Sec. D-11. 37-B MRSA §356, sub-§4 is enacted to read:

4. Rules. The Adjutant General shall adopt rules to implement the provisions of this section, which are routine technical rules under Title 5, chapter 375, subchapter 2-A.

Sec. D-12. 37-B MRSA §357, as enacted by PL 2003, c. 488, §4 and affected by §5, is repealed and the following enacted in its place:

§357. In-state tuition rates

A member who is approved to receive tuition benefits under this subchapter qualifies for in-state tuition rates.

Sec. D-13. 37-B MRSA §358, as enacted by PL 2003, c. 488, §4 and affected by §5, is repealed.

Sec. D-14. 37-B MRSA §§359 and 360 are enacted to read:

§359. Mobilized or deployed members

Any member who is a student receiving a tuition benefit under this subchapter who is mobilized or deployed is entitled to an extension of the time the tuition benefit may be claimed equal to the amount of time served on active duty.

§360. Policies and implementation

The Adjutant General is responsible for overall policies, guidance, administration and proper use of the program provided for in this subchapter.

Sec. D-15. Transfer from General Fund unappropriated surplus; Maine National Guard Postsecondary Fund, Other Special Revenue Funds account; fiscal year 2016-17. Notwithstanding any other provision of law, the State Controller shall transfer \$2,500,000 from the General Fund unappropriated surplus to the Maine National Guard Postsecondary Fund, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management no later than August 1, 2016.

PART E

Sec. E-1. Identify potential inefficiencies and propose improvements to veterans' ser-

vices. The University of Maine System and the Maine Community College System, for their respective campuses and in consultation with the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services, shall each:

1. Identify the needs of student-veterans and potential student-veterans attempting to achieve a postsecondary education to degree completion, including but not limited to their ability to gain admission to the University of Maine System or the Maine Community College System, successfully meet the requirements of a course of study, successfully transition to civilian life in a supportive educational environment, obtain available federal veterans' benefits and successfully meet personal and financial obligations;

2. Identify existing services specifically for student-veterans and other services available to student-veterans on each campus that meet the needs identified in subsection 1;

3. Assess the effectiveness in meeting the needs identified in subsection 1 of existing services specifically for student-veterans and other services available to student-veterans on each campus;

4. Determine what services are not currently being offered that, if offered, would meet the needs identified in subsection 1; and

5. Propose services and solutions that fulfill the needs identified in subsection 1 on each campus or across campuses that are based upon best practices in postsecondary educational institutions within the State and nationwide.

Sec. E-2. Report. By January 15, 2017, the University of Maine System and the Maine Community College System shall each submit a report of its findings and proposals under section 1 to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and veterans and legal affairs. Each joint standing committee is authorized to introduce a bill to the First Regular Session of the 128th Legislature related to the subject matter of the reports.

PART F

Sec. F-1. Transfer; Gambling Control Board; General Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$628,720 in unexpended funds from the Gambling Control Board Administrative Expenses, Other Special Revenue Funds account in the Department of Public Safety to the General Fund unappropriated surplus on or before August 1, 2016.

Sec. F-2. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Maine National Guard Postsecondary Fund Z190

Initiative: Provides an allocation to increase access to postsecondary education for Maine National Guard members.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500,000

Veterans Services 0110

Initiative: Provides funding for one Veteran Service Officer position and related costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$81,258
All Other	\$0	\$10,000
GENERAL FUND TOTAL	\$0	\$91,258

Veterans Services 0110

Initiative: Provides funding for 2 Veteran Service Officer positions and related costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$162,516
All Other	\$0	\$28,000
GENERAL FUND TOTAL	\$0	\$190,516

Veterans Services 0110

Initiative: Provides funding for the purchase and maintenance of an electronic case management system.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$80,000
GENERAL FUND TOTAL	\$0	\$80,000

Veterans Services 0110

Initiative: Provides funding to implement a marketing and outreach program for veterans.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$186,400
GENERAL FUND TOTAL	\$0	\$186,400

Veterans Services 0110

Initiative: Establishes headcount for one Veterans Outreach Specialist position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
GENERAL FUND TOTAL	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$0	\$548,174
OTHER SPECIAL REVENUE FUNDS	\$0	\$500,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,048,174

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Debt Service - University of Maine System 0902

Initiative: Deappropriates funds on a one-time basis due to a delay in the issuance of an estimated \$21,000,000 university revenue bond. The delay will move the debt service payments approved in Public Law 2015, Chapter 267 forward by one year and will end fiscal year 2025-26.

GENERAL FUND	2015-16	2016-17
All Other	\$0	(\$2,500,000)
GENERAL FUND TOTAL	\$0	(\$2,500,000)

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$0	(\$2,500,000)

DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$2,500,000)
SECTION TOTALS	2015-16	2016-17
GENERAL FUND	\$0	(\$1,951,826)
OTHER SPECIAL REVENUE FUNDS	\$0	\$500,000
SECTION TOTAL - ALL FUNDS	\$0	(\$1,451,826)

See title page for effective date, unless otherwise indicated.

**CHAPTER 466
S.P. 84 - L.D. 215**

An Act To Improve Student Retention in Maine's Postsecondary Institutions

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

Sec. 1. 20-A MRS §6902-A is enacted to read:

§6902-A. Postsecondary services

The corporation shall provide services, in accordance with this section and for the purpose of significantly increasing the percentage of eligible students who obtain a postsecondary degree, to postsecondary institutions in the State to assist students in completing a postsecondary course of study.

1. "Eligible student" defined. As used in this section, "eligible student" means a student who:

- A. Has previously been enrolled in a high school program administered by the corporation;
- B. Has been in or currently is in foster care; or
- C. Has earned a high school equivalency diploma through an alternative program within the previous 5 years.

2. Student services. The corporation shall:

- A. Provide academic and social mentoring and counseling to eligible students, including monitoring of academic performance and connection to campus life;
- B. Assist each eligible student in developing an individualized academic plan for completing a

course of study and consider each eligible student's individual academic needs and provide connections to sources of academic support, if necessary;

C. Develop a system of peer mentoring between eligible students and other college students and between eligible students and college graduates; and

D. Provide eligible students with financial guidance relating to postsecondary expenses, including assisting eligible students in obtaining all available sources of financial aid.

Sec. 2. Report. Jobs for Maine's Graduates shall determine methods for implementing the Maine Revised Statutes, Title 20-A, section 6902-A and report its findings to the Joint Standing Committee on Education and Cultural Affairs by December 31, 2016. The committee may report out legislation to the Second Regular Session of the 127th Legislature.

See title page for effective date.

**CHAPTER 467
H.P. 734 - L.D. 1065**

An Act To Amend the Law Regarding Temporary Powers of Attorney over Minors and To Require Organizations To Screen Agents before Providing Care

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

Sec. 1. 18-A MRS §5-104, sub-§(a), as amended by PL 2011, c. 43, §1, is further amended to read:

(a). A parent or guardian of a minor or incapacitated person, by a properly executed power of attorney, may delegate to another person, for a period not exceeding 12 months, any of that parent's or guardian's powers regarding care, custody or property of the minor child or ward, except the power to consent to marriage or adoption of a minor ward or termination of parental rights to the minor. A delegation by a court-appointed guardian becomes effective only when the power of attorney is filed with the court. A delegation of powers under this section does not deprive the parent or guardian of any parental or legal authority regarding the care and custody of the minor or incapacitated person.

Sec. 2. 18-A MRS §5-104, sub-§(c) is enacted to read:

(c). This subsection applies when a parent or guardian executes a power of attorney under subsec-