

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

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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
2017

(b) "Individual retirement account" means an individual retirement account under Section 408 of the Code, a Roth IRA under Section 408A of the Code, a simplified employee pension under Section 408(k) of the Code or a simple retirement account for employees under Section 408(p) of the Code.

(c) "Military retirement plan" means retirement plan benefits received as a result of service in the active or reserve components of the United States Army, Navy, Air Force, Marines or Coast Guard.

(d) "Pension deduction amount" means \$10,000.

(e) "Primary recipient" means the individual upon whose earnings or contributions the retirement plan benefits are based or the surviving spouse of that individual.

(f) "Retirement plan benefits" means employee retirement plan benefits, except pick-up contributions for which a subtraction is allowed under paragraph E, reported as pension or annuity income for federal income tax purposes and individual retirement account benefits reported as individual retirement account distributions for federal income tax purposes. "Retirement plan benefits" does not include distributions that are subject to the tax imposed by the Code, Section 72(t);

See title page for effective date.

CHAPTER 171

S.P. 554 - L.D. 1576

An Act To Enable Earlier Introduction of Career and Technical Education in Maine Schools

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

Sec. 1. 20-A MRSA §8301-A, sub-§1, as amended by PL 2003, c. 545, §1, is further amended to read:

1. Affiliated unit. "Affiliated unit" means a school administrative unit that is affiliated with another school administrative unit that operates a center. An affiliated school administrative unit may have its secondary students and middle school level students

served by a center operated by a school administrative unit with which it is affiliated. An affiliated school administrative unit may also operate career and technical education satellite programs.

Sec. 2. 20-A MRSA §8301-A, sub-§2-A, as enacted by PL 2003, c. 545, §1, is amended to read:

2-A. Career and technical education. "Career and technical education" means a course or program of education designed to create or improve job-related skills that is part of a secondary school or middle school level curriculum and approved by the commissioner according to this chapter. A school administrative unit shall make career and technical education available to persons residing in the school administrative unit who are eligible to receive free public secondary and middle school level education.

Sec. 3. 20-A MRSA §8301-A, sub-§3, as amended by PL 2003, c. 545, §1, is further amended to read:

3. Center. "Center" means an administrative entity established pursuant to this chapter that provides career and technical education to secondary students and middle school level students. Unless otherwise specifically provided for by this chapter, a center is governed, operated and administered by a single school administrative unit. A center shall make its programs available to serve secondary students and middle school level students from school administrative units with which it is affiliated. A center may include within its administrative structure career and technical education satellite programs operated by school administrative units with which it is affiliated.

Sec. 4. 20-A MRSA §8301-A, sub-§3-A is enacted to read:

3-A. Middle school level. "Middle school level" has the same meaning as in section 15672, subsection 20.

Sec. 5. 20-A MRSA §8301-A, sub-§§6 and 8, as amended by PL 2003, c. 545, §1, are further amended to read:

6. Region. "Region" means a quasi-municipal corporation established by the Legislature to provide career and technical education to secondary students and middle school level students that is comprised of all the school administrative units within the geographical boundaries set forth for each career and technical education region in section 8451. A region is governed by a cooperative board formed and operating in accordance with this chapter.

8. Satellite program. "Satellite program" means a program providing career and technical education to secondary students and middle school level students that is operated, under section 8403-A, by a school administrative unit affiliated with a center.

Sec. 6. 20-A MRSA §8305-A, sub-§1, as amended by PL 2011, c. 679, §7, is further amended to read:

1. General right. A person eligible to receive free public secondary and middle school level education may, consistent with this section and department rules:

A. Receive career and technical education from a center, satellite program or region that serves the person's residence; or

B. Receive career and technical education from a center, satellite program or region outside of the geographical area that serves the person's residence, subject to the approval of the governing bodies of the sending unit and receiving center, satellite program or region.

Sec. 7. 20-A MRSA §8305-A, sub-§2, as corrected by RR 2003, c. 2, §43, is amended to read:

2. Admission standards. A region, center or satellite program shall determine, in accordance with its published admission standards, whether to admit a person to such a region, center or satellite program. Unless otherwise specifically provided for in this chapter, priority to enroll in any career and technical education course of study offered by a region, center or satellite program must be given first to persons eligible to receive a free public secondary or middle school level education who are residents of municipalities served by that region, center or satellite program.

Sec. 8. 20-A MRSA §8451, sub-§1, as corrected by RR 2003, c. 2, §60, is amended to read:

1. Legislative intent. It is the intent of the Legislature that each career and technical education region shall provide career and technical education in accordance with this chapter and shall function as an extension of the secondary schools and middle schools located within the region's boundaries.

Sec. 9. 20-A MRSA §8451, sub-§2, ¶H, as repealed and replaced by PL 2011, c. 679, §17, is amended to read:

H. Region 9. NORTHERN OXFORD COUNTY. Units located in this region include:

- (1) Albany Township;
- (2) Gilead;
- (3) Mason Township;
- (4) Milton Township;
- (5) Riley Township;
- (6) Upton, as long as it sends its secondary students and middle school level students to schools operated by administrative units within the region;

(7) The portion of Regional School Unit No. 10 comprising the municipalities in the former units of Hanover, Peru, School Administrative District No. 21 (Canton, Carthage and Dixfield) and School Administrative District No. 43 (Byron, Mexico, Roxbury and Rumford); and

(8) Regional School Unit No. 44 doing business as School Administrative District No. 44 (Andover, Bethel, Greenwood, Newry and Woodstock).

Sec. 10. 20-A MRSA §8451, sub-§3, ¶A, as amended by PL 1991, c. 518, §17, is further amended to read:

A. Public secondary schools and middle schools located at: Ashland; Caribou; Easton; Fort Fairfield; Limestone; Mars Hill; Presque Isle; and Washburn are served by centers located in Presque Isle and Caribou.

Sec. 11. 20-A MRSA §8451, sub-§5, ¶A, as amended by PL 2011, c. 679, §18, is further amended to read:

A. Public secondary schools and middle schools located in the school administrative units of Madawaska, School Administrative District No. 10 (Allagash), School Administrative District No. 27 (Eagle Lake, Fort Kent, New Canada, St. Francis, St. John Plantation, Wallagrass and Winterville Plantation) and Regional School Unit No. 33 doing business as School Administrative District No. 33 (Frenchville and St. Agatha) are served by a center located in Frenchville (St. John Valley Technology Center), as long as the school boards of former School Administrative District No. 27 (Eagle Lake, Fort Kent, New Canada, St. Francis, St. John Plantation, Wallagrass and Winterville Plantation), former School Administrative District No. 33 (Frenchville and St. Agatha) and Madawaska enter into a cooperative agreement pursuant to section 8401. Career and technical education students from Regional School Unit No. 88 doing business as School Administrative District No. 24 (Cyr Plantation, Hamlin and Van Buren) must be permitted to attend that center on a tuition basis to the extent that there are unused slots available in the career and technical education programs at the center.

Sec. 12. 20-A MRSA §15672, sub-§1-D, as enacted by PL 2011, c. 679, §27, is amended to read:

1-D. Career and technical education costs. "Career and technical education costs" for subsidy purposes means all costs incurred by the career and technical education regions, centers or satellites in providing approved secondary school and middle school level career and technical education programs,

excluding transportation, capital costs and debt service.

See title page for effective date.

CHAPTER 172

H.P. 1086 - L.D. 1579

An Act To Amend and Add Consistency to the Maine Weights and Measures Law

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

Sec. 1. 10 MRSA c. 501, sub-c. 4-A is enacted to read:

SUBCHAPTER 4-A

LOCAL SEALERS

§2461. Election by municipal officers

The municipal officers of a municipality may elect or appoint a sealer of weights and measures, and a deputy sealer if necessary, not necessarily a resident of that municipality, and the sealer and deputy sealer hold office during their efficiency and the faithful performance of their duties. The state sealer has final approval authority over a sealer or deputy sealer elected or appointed pursuant to this section. Prior to approval or assuming any duties, a sealer or deputy sealer elected or appointed pursuant to this section must successfully complete certification by the National Conference on Weights and Measures as a weights and measures professional in the National Conference on Weights and Measures professional certification program for the device types the sealer or deputy sealer wishes to seal. On complaint being made to the municipal officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the municipal officers shall set a date for and give notice of a hearing to the complainant, the relevant sealer and the state sealer. If evidence satisfies the municipal officers that the sealer or deputy sealer has been inefficient or has neglected the sealer's or deputy sealer's duty, they may remove the sealer or deputy sealer from office and elect or appoint another in the sealer's or deputy sealer's stead. The state sealer has jurisdiction over a sealer or deputy sealer elected or appointed pursuant to this section, and any vacancy caused by death or resignation must be filled by election or appointment by the municipal officers within 30 days. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer. A sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers of those municipalities, as long as this action receives the approval of the state

sealer. The state sealer or the state sealer's designee shall test and certify annually municipal weights and measures equipment used by a sealer or deputy sealer elected or appointed pursuant to this section.

§2462. Municipalities that do not choose a sealer

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality.

§2463. Powers and duties

A weights and measures official elected or appointed for a municipality has the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section 2403. These powers and duties extend to the official's jurisdiction.

§2464. Records of weights and measures sealed; annual report

A sealer shall keep records of all weights and measures, balances and measuring devices inspected, sealed or condemned by that sealer, giving the name of the owner or agent, the place of business, the date of inspection and kind of apparatus inspected, sealed or condemned. The sealer shall make an annual report on July 1st for the 12 preceding months on forms prescribed by the state sealer and shall furnish such information as the state sealer may require.

Sec. 2. 10 MRSA §2632 is enacted to read:

§2632. Compliance testing of net contents on packaged goods

The specifications, tolerances and other technical requirements for compliance testing of the net contents of packaged goods as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 133 (2016), "Checking the Net Contents of Packaged Goods," and supplements or revisions to this publication, apply to packaged goods in this State, except as modified or rejected by a regulation issued by the state sealer.

See title page for effective date.