

# 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**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**NOVEMBER 1, 2017**

**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**  
**2017**

**Sec. 36. 20-A MRSA §13201, first ¶**, as amended by PL 2011, c. 172, §2 and affected by §4, is further amended to read:

The superintendent shall nominate all teachers, subject to such regulations governing salaries and the qualifications of teachers as the school board makes. Upon the approval of nominations by the school board, the superintendent may employ teachers so nominated and approved for such terms as the superintendent determines proper, subject to the approval of the school board. ~~The superintendent, subject to the approval of the school board, shall implement a program to support probationary teachers pursuant to section 13015.~~ Prior to May 15th before the expiration of a first, 2nd or 3rd year probationary teacher's contract, the superintendent shall notify the teacher in writing of the superintendent's decision to nominate or not nominate that teacher for another teaching contract. If, after receiving a complaint from a teacher, the commissioner finds that the superintendent has failed to notify a teacher of a decision not to nominate that teacher, the school administrative unit shall pay a forfeiture to the teacher. The amount of that forfeiture must be equal to the teacher's per diem salary rate times the number of days between the notification deadline and the date on which notification is made or on which the complaint is filed, whichever occurs first. In case the superintendent of schools and the school board fail to legally elect a teacher, the commissioner has the authority to appoint a substitute teacher who serves until such election is made.

**Sec. 37. 20-A MRSA c. 511**, as amended, is repealed.

**Sec. 38. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 20-A, chapter 501, in the chapter headnote, the words "certification and registration of teachers" are amended to read "credentialing of teachers" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. 39. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 20-A, chapter 502, in the chapter headnote, the words "certification of educational personnel" are amended to read "credentialing of educational personnel" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. 40. Application.** A certificate, approval or authorization issued pursuant to the Maine Revised Statutes, Title 20-A, chapters 501, 502 and 502-A before the effective date of this Act is valid until the termination date of the certificate, approval or authorization.

**Sec. 41. Effective date.** This Act takes effect on July 1, 2018.

Effective July 1, 2018.

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## CHAPTER 236

### H.P. 363 - L.D. 519

#### **An Act To Allow the Storage of Tents, Campers, Trailers and Other Devices Used for Camping in Campgrounds in the Unorganized Townships**

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

**Sec. 1. 12 MRSA §685-C, sub-§12** is enacted to read:

**12. Campground storage.** The commission may not limit the number of days a person may store an unoccupied camping device at a lawfully existing camping location within a campground permitted by the commission or a campground that is a nonconforming use. For the purposes of this subsection, "camping device" means a tent, registered tent trailer, registered pickup camper, registered recreational vehicle, registered trailer or similar device lawfully used for camping.

See title page for effective date.

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## CHAPTER 237

### H.P. 541 - L.D. 761

#### **An Act To Increase Access to Hearing Aids**

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

**Sec. 1. 22 MRSA §3174-ZZ** is enacted to read:

**§3174-ZZ. Reimbursement for hearing aids**

**1. Hearing aid; definition.** For purposes of this section, "hearing aid" means a nonexperimental, wearable instrument or device designed for the ear and offered for the purpose of aiding or compensating for impaired human hearing.

**2. Required reimbursement.** The department shall provide reimbursement for a hearing aid for one hearing-impaired ear of an individual enrolled in the MaineCare program in accordance with the following requirements:

A. The hearing loss must be documented by a primary care provider or an audiologist licensed pursuant to Title 32, chapter 137;

B. The hearing aid must be provided by an audiologist or a hearing aid dealer licensed pursuant to Title 32, chapter 137; and

C. The hearing loss must meet the requirements established by the department in rule regarding the individual's severity of hearing loss.

The department shall provide reimbursement for a hearing aid for the 2nd hearing-impaired ear of an individual enrolled in the MaineCare program if the individual meets requirements established by the department by rule regarding the individual's severity of hearing loss, enrollment in school, enrollment in vocational training, employment needs or the needs identified by a primary care provider.

3. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

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**CHAPTER 238**  
**S.P. 367 - L.D. 1113**

**An Act To Improve  
Antihunger Programs in Maine  
Schools**

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

**Sec. 1. 20-A MRSA §6601-A** is enacted to read:

**§6601-A. National School Lunch Program;  
Internet-based school meal applications**

The department shall make information available to public schools regarding Internet-based applications for eligible students for free or reduced-price meals under the National School Lunch Program under 7 Code of Federal Regulations, Part 210. A public school may make an Internet-based application available for school meal applications. If a public school implements an Internet-based application process under this section, the public school shall make available a paper application for school meals to any student, parent or legal guardian who requests one.

See title page for effective date.

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**CHAPTER 239**  
**H.P. 800 - L.D. 1137**

**An Act To Lower the Age at  
Which a Person May Hunt  
with a Crossbow during Any  
Open Season**

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

**Sec. 1. 12 MRSA §10953, sub-§1-C**, as enacted by PL 2015, c. 42, §1, is amended to read:

**1-C. Hunting with a crossbow; 65 years of age or older.** A person ~~70~~ 65 years of age or older may hunt a wild bird or a wild animal with a crossbow during any open season on that wild bird or wild animal, subject to this Part. A person ~~70~~ 65 years of age or older may hunt deer with a crossbow ~~during a regular archery-only season established under section 11403 or in an expanded archery zone or during the muzzle-loading-only deer hunting season established under section 11404.~~

See title page for effective date.

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**CHAPTER 240**  
**H.P. 874 - L.D. 1251**

**An Act Regarding Certain  
Abandoned Vehicles and  
Notice to the Secretary of State  
Regarding Those Vehicles**

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

**Sec. 1. 29-A MRSA §1854, sub-§1**, as amended by PL 2007, c. 150, §3, is further amended to read:

**1. Notification in writing.** ~~The~~ Except as provided in subsection 1-A, the owner of the premises where an abandoned a vehicle described in section 1851 is located or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of an abandoned that vehicle. The notification must be in writing and on a form provided by the Secretary of State.

**Sec. 2. 29-A MRSA §1854, sub-§1-A** is enacted to read:

**1-A. Notification in writing; auto repair and storage facilities.** The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the vehicle owner is responsible for any