

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

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

Effective April 11, 2018.

**CHAPTER 378
H.P. 132 - L.D. 176**

**An Act To Authorize the
Maine Public Employees
Retirement System To Procure
and Offer Long-term Disability
Insurance**

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

Sec. 1. 5 MRSA c. 423, sub-c. 7 is enacted to read:

SUBCHAPTER 7

LONG-TERM DISABILITY INSURANCE

**§18101. Long-term disability insurance coverage
authorized**

The board may offer long-term disability insurance coverage to members through their employer and may contract with one or more insurance companies to provide this coverage.

1. Premiums. All premiums and any other amounts due to an insurance company or other 3rd party in connection with coverage under this subchapter must be borne by the covered person, the covered person's employer or both the covered person and the covered person's employer.

2. Rules. The board may adopt rules to implement this subchapter. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

Sec. 2. 5 MRSA c. 425, sub-c. 7 is enacted to read:

SUBCHAPTER 7

LONG-TERM DISABILITY INSURANCE

**§18701. Long-term disability insurance coverage
authorized**

The board may offer long-term disability insurance coverage to members and employees who choose not to become members but participate in the defined contribution plan pursuant to section 18801, subsection 1 through their employer and may contract with one or more insurance companies to provide this coverage.

1. Premiums. All premiums and any other amounts due to an insurance company or other 3rd

party in connection with coverage under this subchapter must be borne by the covered person, the covered person's employer or both the covered person and the covered person's employer.

2. Rules. The board may adopt rules to implement this subchapter. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

Sec. 3. Report. The Maine Public Employees Retirement System shall report twice to the joint standing committee of the Legislature having jurisdiction over retirement matters, no later than January 31, 2019 and January 31, 2020, on the use of the authority granted to the Board of Trustees of the Maine Public Employees Retirement System pursuant to the Maine Revised Statutes, Title 5, chapter 423, subchapter 7 and Title 5, chapter 425, subchapter 7, including the results of any offering of long-term disability insurance by the board.

See title page for effective date.

**CHAPTER 379
H.P. 446 - L.D. 630**

**An Act To Prohibit Third
Parties from Facilitating
Transfers of Moose Permits for
Consideration**

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

Sec. 1. 12 MRSA §11110, as repealed and replaced by PL 2015, c. 301, §14, is amended to read:

§11110. Transfer of hunting areas or zones

1. Transfer permitted. A person who has been assigned a designated hunting area, zone or season by the department for purposes of hunting a game animal may exchange that designated zone, area or season with another person assigned a different hunting zone, area or season for the same game animal for purposes of hunting that same game animal. The department may assist in the exchange to ensure that the permit holders meet the requirements of section 10756, but the State bears no responsibility for enforcing the terms of the exchange between the permit holders. The commissioner may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

~~**2. Transfer of moose permit for consideration prohibited.** Notwithstanding subsection 1, the holder of a moose permit who has been assigned a designated hunting area, zone or season by the department may not exchange that designated zone, area or season with~~

~~another person assigned a different hunting zone, area or season for any consideration other than the other person's different hunting zone, area or season. A person who violates this subsection commits a Class D crime.~~

3. Facilitating for consideration transfer of a moose permit prohibited. A person may not facilitate for consideration the exchange of moose permits between holders of moose permits who are exchanging those permits pursuant to subsection 1. For purposes of this subsection, "facilitate for consideration" means to directly receive compensation or something of value solely as part of an exchange of moose permits. A person who violates this subsection commits a Class E crime.

See title page for effective date.

CHAPTER 380

H.P. 1150 - L.D. 1665

An Act To Maintain Mental Health Staffing at the Dorothea Dix Psychiatric Center and Support Statewide Forensic Services

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
Dorothea Dix Psychiatric Center Z222**

Initiative: Makes permanent 6 limited-period Mental Health Worker I positions and transfers funds from All Other to Personal Services.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	6.000
Personal Services	\$0	\$145,879
All Other	\$0	(\$145,879)
GENERAL FUND TOTAL	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$0	\$259,340
All Other	\$0	(\$259,340)

OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

See title page for effective date.

CHAPTER 381

H.P. 1271 - L.D. 1829

An Act To Amend the Laws Governing Education

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

Sec. 1. 20-A MRSA §257, sub-§1, ¶A, as repealed and replaced by PL 1991, c. 662, §1, is amended to read:

A. Is at least ~~18~~ 17 years of age, ~~if that person and:~~

~~(1) Has completed a formal training program approved by the commissioner; and~~

(2) Has demonstrated, through procedures prescribed by the commissioner, attainment of a general educational development comparable to that of a secondary school graduate; ~~or.~~

Sec. 2. 20-A MRSA §257, sub-§1, ¶B, as repealed and replaced by PL 1991, c. 662, §1, is repealed.

Sec. 3. 20-A MRSA §5201, sub-§3, ¶F, as amended by PL 2003, c. 688, Pt. B, §4, is further amended to read:

F. A person who obtains a waiver from the commissioner pursuant to section 5206 may enroll as a public secondary school student.

This paragraph is repealed July 1, 2020.

Sec. 4. 20-A MRSA §5206, as enacted by PL 2003, c. 116, §2, is amended to read:

§5206. Waiver

The superintendent may request that the commissioner approve on a case-by-case basis waivers of the age requirements under section 5201 to allow a student who has reached 20 years of age before the start of the school year to be enrolled as a public secondary school student. The commissioner may grant a waiver upon finding that there are unforeseeable circumstances or undue hardship and that the request that the school administrative unit has submitted is reasonable. The application for a waiver must contain: