

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

reporting requirement under this section and shall submit a copy of the notice to the commission. If the \$100,000 aggregate amount is exceeded as a result of a contribution received during the last 13 days before an election, the recipient committee shall, within 24 hours of receiving the contribution, provide written notice of the reporting requirement to the major contributor and submit a copy of the notice to the commission. The commission shall prepare a sample written notice for this purpose.

3. Required reports. A major contributor shall file a report containing the information required in subsection 4 on or before the next regularly scheduled filing deadline under section 1059, subsection 2 occurring after the major contributor receives notice of the reporting requirement. If a major contributor has received a notice from a recipient committee or the commission during the last 13 days before an election as required under subsection 2, the major contributor shall file a report within 2 business days of receiving notice from the recipient committee or commission. The commission shall prescribe and prepare forms for these reports and may require major contributors to file reports electronically.

4. Content. In the reports required under subsection 3, a major contributor shall provide:

A. The name of and relevant contact information for the major contributor and the name of a responsible officer of the major contributor;

B. The form of organization and purpose of the major contributor;

C. The amount and date of each contribution from the major contributor to the recipient committee;

D. A certification that the major contributor has not received contributions, in whole or in part, for the purpose of initiating or influencing a people's veto referendum or direct initiative campaign in this State or, if the major contributor has received such contributions, the dates, sources and amounts of any such contributions;

E. The names of the 5 largest sources of funds received by the major contributor during the period beginning 6 months prior to the first contribution made to the recipient committee and ending on the date of the filing of the report. This paragraph does not apply to funds received by the major contributor that are restricted to purposes that are unrelated to a people's veto referendum or direct initiative campaign in the State; and

F. A statement indicating whether the major contributor is exempt from taxation under the United States Internal Revenue Code of 1986 and a list of any governmental jurisdictions within the United States in which the major contributor has filed

campaign finance reports during the previous 12 months.

The commission may require by rule additional information to be reported consistent with this subsection to facilitate disclosure to citizens of this State of financial activity conducted for the purpose of influencing elections in this State.

5. Noncompliance. The commission may assess a civil penalty against a major contributor that does not file a timely report required under this section. The preliminary penalty is 10% of the total contributions required to be reported, up to a maximum of \$50,000. Within 14 calendar days of receiving notice of the preliminary penalty from the commission, the major contributor may request that the penalty be waived in full or in part. In considering a request for a waiver, the commission shall consider, among other things, any lack of notice to the major contributor of the reporting requirement, the number of days that the report was filed late and the amount of the contributions required to be reported. A major contributor requesting a determination may either appear in person or designate a representative to appear on the major contributor's behalf or submit a sworn statement explaining the mitigating circumstances for consideration by the commission. After a commission meeting, notice of the final determination of the commission and the penalty, if any, imposed pursuant to this subsection must be sent to the major contributor. If a determination is not requested, the preliminary penalty calculated by the commission is final. The commission shall mail final notice of the penalty to the major contributor. A final determination by the commission may be appealed to the Superior Court in accordance with Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C. The commission may assess a civil penalty in the same amount against a recipient committee that has not provided written notice of the reporting requirements to the major contributor as required by subsection 2, using the same procedures as set out in this subsection for penalties against the major contributor.

See title page for effective date.

CHAPTER 419

S.P. 635 - L.D. 1736

An Act To Broaden Educational Opportunities to Members of the Maine National Guard and Provide Financial Assistance to Veterans

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

Sec. 1. 37-B MRSA §352, sub-§4, as amended by PL 2015, c. 465, Pt. D, §4, is further amended to read:

4. State postsecondary education institution. "State postsecondary education institution" means the University of Maine System, the Maine Maritime Academy, the Maine Community College System or any other college or university system established as a public instrumentality of this State, the Maine Criminal Justice Academy, or a private nonprofit postsecondary education institution in this State registered with the Military Bureau as a participating institution in accordance with this subchapter.

Sec. 2. 37-B MRSA §352-A is enacted to read:

§352-A. Participating institution registration

A member is entitled to a tuition benefit described in this subchapter at a private nonprofit postsecondary education institution in the State if that private nonprofit postsecondary education institution is registered with the Military Bureau as a participating institution in the manner prescribed by the bureau. The bureau may adopt rules to implement the registration requirement described in this section. Rules adopted in accordance with this section are routine technical rules as described under Title 5, chapter 375, subchapter 2.

Sec. 3. 37-B MRSA §353-B, as enacted by PL 2015, c. 465, Pt. D, §6, is amended to read:

§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, except that the tuition benefit at a state postsecondary education institution that is a private nonprofit postsecondary education institution may not exceed the in-state tuition at the University of Maine at Orono for the previous academic year. 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.

Sec. 4. 37-B MRSA §357, as repealed and replaced by PL 2015, c. 465, Pt. D, §12, is amended to read:

§357. In-state tuition rates

A Unless otherwise provided under this subchapter, a member who is approved to receive tuition bene-

fits under this subchapter qualifies for in-state tuition rates.

Sec. 5. 37-B MRSA §505, sub-§1-A, as amended by PL 2009, c. 415, Pt. A, §§24 and 25, is repealed.

Sec. 6. 37-B MRSA §505, sub-§§1-B and 1-C are enacted to read:

1-B. Veterans Temporary Assistance Fund. The Veterans Temporary Assistance Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue Funds account in the bureau. The fund is administered and used by the director for the purposes of offering financial assistance to veterans as prescribed by subsection 1-C.

1-C. Financial assistance. The following provisions apply to grants of temporary financial assistance to veterans.

A. The bureau may provide a grant of temporary assistance not to exceed \$2,000 to a veteran currently a resident of this State who has filed a valid claim for a veteran's pension, pending notification of the award of such a pension. For purposes of this paragraph, "claim for a veteran's pension" means a claim filed with the United States Department of Veterans Affairs pursuant to 38 United States Code, Chapter 15.

B. The bureau may provide a grant of temporary assistance not to exceed \$2,000 to a veteran currently a resident of this State who demonstrates to the bureau's satisfaction a financial need and suffers an emergency, including but not limited to:

- (1) Damage to that veteran's home due to fire, flood or hurricane that is not fully compensable by insurance;
- (2) Illness or the illness of an immediate family member; or
- (3) Hardship that would result in the veteran becoming homeless.

C. A veteran who requests temporary assistance under this subsection and is denied such assistance by the bureau may request a reconsideration and review of this decision. Requests for reconsideration of a claim must be reviewed by the director and the commissioner or the commissioner's designee, and the decision after the reconsideration is final and may not be appealed to a court.

D. The bureau may contract with an organization incorporated in the State as a nonprofit corporation in accordance with Title 13-B or an organization with tax-exempt status under 26 United States Code, Section 501(c) for the purpose of providing temporary financial assistance to veterans as described in this subsection. A contract authorized under this subsection may provide only for the

distribution of direct temporary financial assistance to veterans and may not provide for compensation for personnel costs of the organization, funding of positions of employment within the organization or administrative costs of the organization except those directly related to the distribution of temporary financial assistance grants to veterans.

E. The department may adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

For the purposes of this subsection, "veteran" has the same meaning as "eligible veteran" in section 504, subsection 4, paragraph A-1. The director may also determine eligibility for temporary financial assistance on a case-by-case basis.

Sec. 7. 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 funding for tuition assistance to veterans attending state postsecondary education institutions and private postsecondary education institutions.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$150,000
GENERAL FUND TOTAL	\$0	\$150,000

Veterans Temporary Assistance Fund N284

Initiative: Establishes the Veterans Temporary Assistance Fund and provides funding for financial assistance to veterans.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$250,000
GENERAL FUND TOTAL	\$0	\$250,000

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$0	\$400,000

DEPARTMENT TOTAL -	\$0	\$400,000
ALL FUNDS		

See title page for effective date.

CHAPTER 420

S.P. 696 - L.D. 1843

An Act To Amend Career and Technical Education Statutes

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

Sec. 1. 20-A MRSA §5809, as amended by PL 2003, c. 477, §5 and c. 545, §§5 and 6, is further amended to read:

§5809. Students enrolled in career and technical educational programs

Schools receiving tuition students who are enrolled in regular school day career and technical educational programs at career and technical education centers, satellites or career and technical education regions, under chapter 313, may charge a tuition rate up to 2/3 of the maximum tuition rate as computed under ~~sections~~ section 5805 or 5806. ~~The career and technical education center, satellite or region may charge a tuition rate of up to 1/3 of the maximum tuition rate as computed under section 5805 or 5806 for the student.~~

Sec. 2. 20-A MRSA §8403-A, sub-§2, as amended by PL 2011, c. 679, §13, is further amended to read:

2. Procedure for authorizing career and technical education satellite programs. Any affiliated unit that wishes to operate a career and technical education satellite program shall submit a written request to operate such a satellite program to the governing body of the center or region with which the unit is affiliated. The request must fully document the perceived need for the operation of a satellite program. The governing body of the center or region with which the unit is affiliated shall consider the request and forward its recommendation to the commissioner concerning whether that request should be approved. The commissioner shall act on the request pursuant to section 8306-B.

Sec. 3. 20-A MRSA §8403-A, sub-§3, as enacted by PL 1991, c. 518, §14, is repealed and the following enacted in its place:

3. Financial responsibility for satellite programs. A career and technical education center or region affiliated with a satellite program approved pursuant to subsection 2 shall provide financial support for the operating costs of that program as calcu-