

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-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

CHAPTER 103
H.P. 540 - L.D. 735

**An Act To Create a Seat for a
Representative of the
Wabanaki Tribal Governments
on the Board of Trustees of the
Maine Criminal Justice
Academy**

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

Sec. 1. 25 MRSA §2802, as amended by PL 2013, c. 147, §7, is further amended to read:

§2802. Board of trustees

There is created a board of trustees for the academy consisting of ~~17~~ 18 members as follows: the Commissioner of Public Safety, ex officio, the Attorney General, ex officio, the Game Warden Colonel in the Department of Inland Fisheries and Wildlife, ex officio, the Commissioner of Corrections, ex officio, ~~and~~ the Chief of the State Police, ex officio, and the following to be appointed by the Governor: a county sheriff, a chief of a municipal police department, 2 officers of municipal police departments who are not police chiefs, an educator who is not and has never been a sworn member of a law enforcement agency, a criminal prosecutor from one of the offices of the District Attorney, a representative of a federal law enforcement agency, 3 citizens each of whom is not and has never been a sworn member of a law enforcement agency, a municipal official who is not and has never been a sworn member of a law enforcement agency ~~and~~, one nonsupervisory corrections officer representing a state or county correctional facility and one person knowledgeable about public safety who has been recommended to the Governor by the Wabanaki tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkmikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. The member appointed by the Governor based on the recommendation of the Wabanaki tribal governments must be recommended by the tribal governments by a process determined by those governments that provides for the board membership to rotate among the tribal governments.

A designee of an ex officio member is a member of the board only during the term of office of the ex officio member who designated the designee. All of the other members of the board serve for a term of 3 years, except that the member appointed by the Governor based on the recommendation of the Wabanaki tribal governments serves for a term of 2 years. A trustee holds office for the term for which the trustee is appointed or until the trustee's successor ~~had~~ has been appointed and qualified. Members of the board are

entitled to compensation in accordance with Title 5, chapter 379. Any vacancy on the board of trustees must be filled in the same manner as the original appointment, but for the unexpired term.

See title page for effective date.

CHAPTER 104
H.P. 608 - L.D. 834

**An Act To Establish Minimum
Service Standards for Electric
Utilities**

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

Sec. 1. 35-A MRSA §3106 is enacted to read:

§3106. Utility service standards

Except as provided in subsection 3, the commission by rule shall establish service standards for transmission and distribution utilities in accordance with this section.

1. Service interruption reporting. The commission shall adopt rules that require transmission and distribution utilities to track and report service interruptions. The rules must include but are not limited to requirements for the following:

A. Record keeping regarding service interruptions affecting the distribution system of the utility; and

B. Reporting service interruption information to the commission.

2. Service standards; corrective actions. The commission shall adopt rules that set standards for transmission and distribution utilities regarding the frequency and duration of service interruptions. The rules must establish performance targets and specify guidelines for the commission to require a transmission and distribution utility to take corrective actions if performance targets are not met.

3. Exception; small utilities. Notwithstanding any other provision of this section, the commission may exempt small transmission and distribution utilities from any rule, or portion of a rule, required by this section if the commission determines that the rule would impose unreasonable requirements on the utility due to the small size of the utility. For the purposes of this subsection, "small transmission and distribution utility" means a transmission and distribution utility serving 50,000 or fewer retail customers.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 105
H.P. 685 - L.D. 930

**An Act To Give Maine Schools
Additional Options To Make
Up Missed School Days**

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

Sec. 1. 20-A MRSA §4801, sub-§1, ¶F, as enacted by PL 2015, c. 60, §1, is amended to read:

F. A school administrative unit operating under a plan approved by the commissioner may provide for a one-hour extension of the school day for up to 25 days in a school year. Notwithstanding the required number of school days under this subsection, 5 one-hour extensions may be counted as one additional school day. A school administrative unit may, with the approval of the commissioner pursuant to rules adopted in accordance with this subsection, implement extended days pursuant to this paragraph only for the purpose of making up school days missed due to weather or emergency closures. A school administrative unit may develop other ways to make up school days missed due to weather or emergency closures not included in this paragraph as long as they are incorporated into a plan approved by the commissioner.

See title page for effective date.

CHAPTER 106
S.P. 303 - L.D. 1024

**An Act To Destigmatize Mental
Illness through Health
Instruction That Emphasizes
the Relationship between
Physical and Mental Health in
Schools**

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

Sec. 1. 20-A MRSA §4711, as amended by PL 2009, c. 313, §11, is further amended to read:

§4711. Elementary course of study

The basic course of study for the elementary schools must provide for the instruction of all students in career and education development, English lan-

guage arts, world languages, health education and physical education, mathematics, science and technology, social studies and visual and performing arts, as described in the parameters for essential instruction and graduation requirements subject to the schedule specified in section 6209. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.

Sec. 2. 20-A MRSA §4712, as enacted by PL 2009, c. 313, §12, is amended to read:

§4712. Junior high school or middle school course of study

The basic course of study for the junior high schools or middle schools must provide for the instruction of all students in career and education development, English language arts, health education and physical education, mathematics, science and technology, social studies, visual and performing arts and world languages, as described in the parameters for essential instruction and graduation requirements subject to the schedule specified in section 6209. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.

Sec. 3. 20-A MRSA §4723, first ¶, as enacted by PL 1983, c. 859, Pt. C, §§5 and 7, is amended to read:

The secondary course of study ~~shall~~ **must** include instruction in health, safety and physical education, as prescribed by the commissioner, and physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.

See title page for effective date.

CHAPTER 107
H.P. 782 - L.D. 1059

**An Act To Authorize the
Establishment of an
Apprentice License for the
Maine Scallop Fishery**

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