

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

Sec. 2. 20-A MRSA §1466, sub-§2-A is enacted to read:

2-A. Form for withdrawal for a regional school unit composed of a single municipality. If the regional school unit is composed of a single municipality, the article to be voted upon must be in substantially the following form:

"Article: Do you favor filing a petition for withdrawal from and dissolution of regional school unit (name of regional school unit) with the board of directors of regional school unit (name of regional school unit) and with the Commissioner of Education, authorizing the withdrawal committee to expend \$ (insert amount) and authorizing the (municipal officers; i.e., selectpersons, town council, etc.) to issue notes in the name of the (name of the municipality) or otherwise pledge the credit of the (name of the municipality) in an amount not to exceed \$ (insert amount) for this purpose?"

Yes No"

Sec. 3. 20-A MRSA §1466, sub-§7, as enacted by PL 2009, c. 580, §9, is amended to read:

7. Article. ~~The~~ Except as provided in subsection 7-A, the article to be voted on must be in the following form.

"Article: Do you favor the withdrawal of the (name of municipality) from the regional school unit (name of regional school unit) subject to the terms and conditions of the withdrawal agreement dated (insert date)?"

Yes No"

Sec. 4. 20-A MRSA §1466, sub-§7-A is enacted to read:

7-A. Article for a regional school unit composed of a single municipality. If the regional school unit is composed of a single municipality, the article to be voted upon must be in substantially the following form:

"Article: Do you favor the withdrawal of the (name of municipality) from the regional school unit (name of regional school unit) and the dissolution of the regional school unit (name of regional school unit) subject to the terms and conditions of the withdrawal agreement dated (insert date)?"

Yes No"

Sec. 5. 20-A MRSA §1466, sub-§21 is enacted to read:

21. Dissolution. Except as otherwise provided in this section, upon the withdrawal of a municipality

from a regional school unit that is composed of a single municipality, the regional school unit is dissolved.

See title page for effective date.

CHAPTER 303

H.P. 1160 - L.D. 1601

An Act To Amend the Laws Governing the Educators for Maine Program

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

Sec. 1. 20-A MRSA §12501-A, sub-§10, as enacted by PL 2003, c. 427, §2, is amended to read:

10. Graduating high school senior. "Graduating high school senior" means a student who is a resident of the State, who graduates from a secondary school ~~approved pursuant to section 2901 or a home instruction program as described in section 5001-A, subsection 3, paragraph A, subparagraph (4) and who is entering that student's first year in an institution of higher education at the beginning of the next academic year. An academic year for graduating high school seniors is considered to be from September to June.~~

Sec. 2. 20-A MRSA §12501-A, sub-§12, as amended by PL 2013, c. 7, §1, is further amended to read:

12. Return service. "Return service" means service in a public elementary or secondary school, publicly supported secondary school, special education facility as defined in section 7001, subsection 6 or private school in this State approved for tuition purposes for a full school year as a certified teacher or a speech pathologist, service as a Jobs for Maine's Graduates specialist with similar teacher certification or service for a 12-month period in a child care facility by an individual who has attained child care provider qualifications.

Sec. 3. 20-A MRSA §12501-A, sub-§14-A is enacted to read:

14-A. Underserved geographic areas. "Underserved geographic areas" means those geographic areas of the State where there is an insufficient supply of teachers or speech pathologists as determined by the chief executive officer in consultation with the commissioner.

Sec. 4. 20-A MRSA §12502, as amended by PL 2003, c. 427, §3, is further amended by adding at the end a new paragraph to read:

Under the program, the authority may annually award a certain number of loan repayments to selected educators in underserved geographic areas as funds

permit. A selected loan repayment recipient must enter into a loan repayment agreement with the authority and may receive payment from the authority on the recipient's outstanding student debt for each year of service as long as the recipient teaches in an underserved geographic area.

Sec. 5. 20-A MRSA §12503, last ¶, as amended by PL 1999, c. 441, §7, is repealed.

Sec. 6. 20-A MRSA §12504, last ¶, as amended by PL 2003, c. 427, §5, is further amended to read:

Loans of up to \$2,000 per academic year or \$8,000 total in an amount to be determined annually by the authority based on available funds, but in no event less than \$3,000 per academic year for eligible undergraduate students and \$2,000 per academic year for eligible students pursuing postbaccalaureate certification, may be made to students pursuing postbaccalaureate certification. Loans of up to \$3,000 per academic year or \$12,000 total may be made to eligible undergraduate students. Selected full-time undergraduate students may receive loans for a period not to exceed 8 semesters at the institution they attend. Selected full-time and part-time students pursuing postbaccalaureate certifications may receive loans for a period not to exceed 4 semesters or the equivalent thereof at the institution they attend. An individual who has received an Educators for Maine loan as an undergraduate may also receive a loan for students pursuing postbaccalaureate certification. In no event may an individual receive more than \$20,000 in total Educators for Maine loans. Loans are for one academic year and are renewable if the recipient maintains a grade point average of at least 2.5 based on a 4.0 grade point system or the equivalent and submits a complete renewal application by the deadline annually.

Sec. 7. 20-A MRSA §12505, sub-§1, as amended by PL 2003, c. 427, §6, is further amended to read:

1. Eligibility for loans for undergraduate education. An Educators for Maine loan recipient must be an undergraduate at an institution of higher education. Preference must be given to students enrolled in a program that has been determined to be an underserved subject area.

Sec. 8. 20-A MRSA §12507, first ¶, as amended by PL 2003, c. 427, §10, is further amended to read:

Each student who receives a loan may cancel the total amount of the loan by completing one year of return service in ~~the~~ a public schools school, publicly supported secondary school, special education facility as defined in section 7001, subsection 6 or private schools school approved for tuition purposes in the State for each year the individual receives a loan. An individual who received that individual's first program

loan after January 1, 2000 may also cancel the total amount of the loan by completing one year of return service by working in a child care facility. The return service requirement is one year for every 2 years or less that the individual receives a loan if return service is performed in an underserved subject area or an underserved geographic area. Return service for this purpose must be performed within 5 10 years of graduation from the institution of higher education. If the chief executive officer grants a deferment, the time period for performance of return service may be extended for the same period as the deferment. Return service may not be credited for the same semester for which an individual receives a loan pursuant to this chapter. Pro rata loan forgiveness may be granted for part-time return service as determined by rule of the authority. Failure to fulfill the return service option necessitates repayment to the authority as follows.

See title page for effective date.

CHAPTER 304

H.P. 1161 - L.D. 1609

An Act To Set Off Court Fines, Surcharges and Assessments against Lottery Winnings

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

Sec. 1. 8 MRSA §378-A is enacted to read:

§378-A. Setoff of claims against lottery winnings; priority

If the bureau is required under state law or court order to set off a person's lottery winnings against a claim of an amount due and more than one claim is made against the lottery winnings, the bureau shall set off against the winnings as many claims as possible in the following order of priority:

1. Liquidated child support debts. Liquidated child support debts owed to or through the Department of Health and Human Services pursuant to Title 19-A, section 2360;

2. Liquidated tax liabilities. Liquidated tax liabilities pursuant to Title 36, section 185, subsection 3;

3. Unemployment compensation debt. Unemployment compensation debt pursuant to Title 26, section 1051, subsection 8;

4. Court-ordered restitution obligations. Court-ordered restitution obligations when the amounts due are identified by a district attorney's office;

5. Fines, surcharges and assessments owed to State. Fines, surcharges and assessments imposed by