

# 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.**

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**Augusta, Maine**  
**2019**

(d) If the home instruction program is discontinued, students of compulsory school age must be enrolled in a public school or an equivalent instruction alternative as provided for in this paragraph. The receiving school shall determine the placement of the student. At the secondary level, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards of the system of learning results as established in section 6209.

B. A person may be excused from attendance at a public day school pursuant to section 5104-A or section 8605.

**Sec. 9. 20-A MRSA §5051-A, sub-§1, ¶C**, as amended by PL 2019, c. 235, §7, is amended to read:

C. Is at least ~~7~~ 6 years of age and has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year; or

**Sec. 10. Basic approval standards; rule-making.** The Commissioner of Education shall amend the Department of Education rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to address developmentally appropriate educational practices for kindergarten to grade 2. The rule must be amended to provide for:

1. Classroom instruction with hands-on experiences with concrete materials and opportunities for students to interact with the world, ask questions, seek answers to questions and reflect on learning;

2. Instruction that includes integration of learning experiences from all content areas arranged around themes relevant to the lives of students in kindergarten to grade 2; and

3. An integrated school day that includes opportunities for student-centered and teacher-directed time combined with large and small group instruction.

Rules adopted or amended pursuant to this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The commissioner shall provisionally adopt the amended rules and submit the provisionally adopted rules to the Executive Director of the Legislative Council by January 10, 2020.

See title page for effective date.

## CHAPTER 509 H.P. 177 - L.D. 214

### An Act To Increase Funding for Civil Legal Services

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

**Sec. 1. 4 MRSA §18-A, sub-§1, ¶B**, as amended by PL 2005, c. 361, §1, is further amended to read:

B. Except as provided in paragraph C, money in the fund must be disbursed to legal services providers to support the provision of free civil legal services to low-income or needy people or the needy elderly in this State. Money disbursed from the fund may not be used by a recipient to support lobbying as defined in Title 3, section 312-A, subsection 9 unless the recipient is responding to a request by a Legislator or a member of the Executive Department. Only the following legal services providers may receive disbursement to provide free civil legal services:

(1) Nonprofit organizations whose missions include the provision of statewide free civil legal services and who have at least ~~one year~~ 5 years of experience providing free civil legal services;

(2) Legal aid clinics of accredited law schools operating exclusively in Maine; and

(3) Programs whose primary mission is to coordinate pro bono legal services on a statewide basis for low-income people in this State.

**Sec. 2. 4 MRSA §18-A, sub-§3-A, ¶A**, as repealed and replaced by PL 2005, c. 361, §2, is amended to read:

A. For all fees collected by the Judicial Department after ~~July 1, 2005~~ October 1, 2019, ~~7%~~ 9% must be deposited in the fund. This paragraph does not apply to fees dedicated under section 17-A or section 18-B, subsection 8 or to surcharges imposed pursuant to paragraph C.

**Sec. 3. 4 MRSA §18-A, sub-§3-A, ¶C** is enacted to read:

C. A surcharge of \$127 must be imposed by a court on the fee for commencement of each action for small claims or money judgment when the action is brought by a person who is a debt collector within the meaning of Title 32, section 11002, subsection 6, and the surcharge must be deposited in the fund.

**Sec. 4. Appropriations and allocations.**  
The following appropriations and allocations are made.

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: Increases funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1, by increasing the percentage of certain fees allocated to the Maine Civil Legal Services Fund.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$105,076	\$140,101
	\$105,076	\$140,101
OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,076	\$140,101

**Courts - Supreme, Superior and District 0063**

Initiative: Increases funding for civil legal services for persons unable to afford a lawyer by providing additional funds available for distribution by the Civil Legal Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A, subsection 1, by imposing surcharges on filing fees for debt collectors' actions.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$609,934	\$813,245
	\$609,934	\$813,245
OTHER SPECIAL REVENUE FUNDS TOTAL	\$609,934	\$813,245

**JUDICIAL DEPARTMENT**

DEPARTMENT TOTALS	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$715,010	\$953,346
	\$715,010	\$953,346
DEPARTMENT TOTAL - ALL FUNDS	\$715,010	\$953,346

See title page for effective date.

**CHAPTER 510**  
**S.P. 118 - L.D. 440**

**An Act To Continue the Doctors for Maine's Future Scholarship Program**

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

**Sec. 1. Transfers from available fiscal year 2019-20 Department of Professional and Financial Regulation Other Special Revenue Funds balances to General Fund.** At the close of fiscal year 2019-20, the State Controller shall transfer \$400,000 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus. On or before June 30, 2020, the Commissioner of Professional and Financial Regulation shall determine from which accounts the funds will be transferred so that the sum equals \$400,000 and notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account.

**Sec. 2. Transfers from available fiscal year 2020-21 Department of Professional and Financial Regulation Other Special Revenue Funds balances to General Fund.** At the close of fiscal year 2020-21, the State Controller shall transfer \$400,000 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus. On or before June 30, 2021, the Commissioner of Professional and Financial Regulation shall determine from which accounts the funds will be transferred so that the sum equals \$400,000 and notify the State Controller and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs of the amounts to be transferred from each account.

**Sec. 3. Appropriations and allocations.**  
The following appropriations and allocations are made.

**FINANCE AUTHORITY OF MAINE**

**Doctors For Maine's Future Scholarship Fund Z090**

Initiative: Provides one-time funds in fiscal years 2019-20 and 2020-21 only to the Doctors for Maine's Future Scholarship Program under the Maine Revised Statutes, Title 20-A, section 12103-A.

GENERAL FUND	2019-20	2020-21
All Other	\$400,000	\$400,000