

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION**

NON-EMERGENCY LAWS IS

NOVEMBER 25, 2019

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION**

NON-EMERGENCY LAWS IS

JUNE 16, 2020

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

**Augusta, Maine
2020**

Whereas, a provision in the laws governing the program prevents an adult learner from receiving a grant for more than 10 semesters or the equivalent thereof at the institution the adult learner attends; and

Whereas, this legislation increases the semester limit from 10 to 12 semesters for adult learners and needs to take effect for fiscal year 2019-20; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20-A MRSA §11616, sub-§2, as amended by PL 2011, c. 642, §6, is further amended to read:

2. Period of study. An eligible full-time or part-time student may receive a grant for a period not to exceed 10 semesters or the equivalent thereof at the institution that the student is attending, except that an adult learner as determined by the authority by routine technical rule may receive a grant for a period not to exceed 12 semesters.

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

Effective March 18, 2020.

CHAPTER 655

S.P. 710 - L.D. 2020

**An Act To Strengthen
Maritime Education by
Amending the Laws Governing
the Maine School for Marine
Science, Technology,
Transportation and
Engineering**

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

Sec. 1. 20-A MRSA §8232, first ¶, as enacted by PL 2015, c. 363, §4, is amended to read:

The school is established as a public, ~~residential~~ school located in the Town of Searsport and the following provisions apply.

Sec. 2. 20-A MRSA §8232, sub-§2, as amended by PL 2017, c. 284, Pt. C, §13, is further amended to read:

2. Tuition; ~~room and board;~~ funding. Students ~~A student~~ from this State may attend the school free of

tuition charges. Additional funding for students from this State may be provided within amounts appropriated for that purpose as follows.

A. State funding for the school must be provided using the method established for public charter schools that are authorized by the commission in accordance with the funding provisions established in section 2413-A and section 15683-B. To be eligible for state funding under this paragraph, a student must have resided in Maine with a parent, other relative or guardian for at least 6 months immediately preceding application to the school.

Sec. 3. 20-A MRSA §8235, sub-§16, as enacted by PL 2015, c. 363, §4, is amended to read:

16. Report. To report annually to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on the results of the assessment in subsection 15 and the general status of the school and to provide a financial audit of the school conducted by an independent auditor; The report under this subsection must include, at a minimum, assessments for:

- A. Student academic proficiency;
- B. Student academic growth;
- C. Achievement gaps in both proficiency and growth between major student subgroups;
- D. Attendance;
- E. Recurrent enrollment from year to year;
- F. Postsecondary readiness;
- G. Financial performance and sustainability;
- H. Board of trustees performance and stewardship; and
- I. Parent and community engagement;

Sec. 4. 20-A MRSA §8238, as amended by PL 2019, c. 531, §1, is further amended to read:

§8238. Implementation; limited authorization

The school may implement the plan established for the statewide education programs pursuant to section 8236, subsection 2 ~~during the 2017-2018 school year.~~

Notwithstanding any other provision of law, all powers, duties and authority of the school under this chapter and under any other law terminate 90 days after the adjournment of the Second Regular Session of the ~~129th~~ 130th Legislature.

Sec. 5. Plan for school's future to be included in 2019-2020 annual report. The Board of Trustees of the Maine School for Marine Science, Technology, Transportation and Engineering shall include in the annual report required under the Maine Revised

Statutes, Title 20-A, section 8235, subsection 16, for the 2019-2020 academic year, a plan for the school's future based on an exploration of practicable organizational structures for the school.

See title page for effective date.

CHAPTER 656
S.P. 713 - L.D. 2023

**An Act Regarding the
Experience Requirement for
Auditors Working in the Office
of the State Auditor Who Are
Seeking Licensure as Certified
Public Accountants**

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

Sec. 1. 32 MRSA §12228, sub-§10, as amended by PL 2015, c. 110, §7, is further amended to read:

10. Experience. For initial issuance of a license under section 12230, an applicant must demonstrate 2 years of experience under the direction of a certified public accountant licensed by any state or territory of the United States or equivalent direction, as determined by the board, by a licensed professional in another country and must meet the other requirements prescribed by the board by rule. The applicant's experience must include the use of accounting or auditing skills, including the issuance of reports, and at least one of the following: the provision of management advisory, financial advisory or consulting services; the preparation of tax returns; the furnishing of advice on tax matters; or equivalent activities defined by the board by rule. Board rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. To the extent the applicant's experience is as a revenue agent or in a similar position engaged in the examination of personal and corporate income tax returns for the Bureau of Revenue Services, the applicant receives credit at the rate of 50% toward the experience required by this subsection. To the extent the applicant's experience is as an examiner engaged in financial examinations for the Bureau of Insurance, the applicant receives credit under this subsection if that experience meets the following standards:

A. Examinations are performed in conformity with the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board;

B. Working papers prepared by the examiners are in conformity with generally accepted auditing standards and are subject to a review by a supervisor who ~~must be~~ is a certified public accountant;

C. Written reports of examination are prepared in conformity with the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board. All examiners working on the examinations must participate in the preparation of the report;

D. Reports of examination are prepared in accordance with statutory accounting principles. All examiners working on the examinations must participate in the preparation of the financial statements and corresponding note disclosures; and

E. All examiners assigned to an examination must participate in the planning of the examination and the planning phase conforms to the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board and generally accepted auditing standards.

To the extent the applicant's experience is as an auditor engaged in audits for the Office of the State Auditor, the applicant receives credit under this subsection if working papers prepared by the auditor are in conformity with generally accepted auditing standards and are subject to a review by a supervisor who is a certified public accountant.

See title page for effective date.

CHAPTER 657
H.P. 1441 - L.D. 2031

**An Act To Require a Cable
System Operator To Provide a
Pro Rata Credit When Service
Is Cancelled by a Subscriber**

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

Sec. 1. 30-A MRSA §3010, sub-§1-A, as amended by PL 2007, c. 548, §2, is further amended to read:

1-A. Service ~~disconnection~~ cancellation. A franchisee must discontinue billing a subscriber for a service within ~~10~~ 2 working days after the subscriber requests to cancel that service ~~disconnection~~ unless the subscriber unreasonably hinders access by the franchisee to equipment of the franchisee on the premises of the subscriber to which the franchisee must have access to complete the requested ~~disconnection~~ cancellation of service. A franchisee shall grant a subscriber a pro rata credit or rebate for the days of the monthly billing period after the cancellation of service if that subscriber requests cancellation of service 3 or more working days before the end of the monthly billing period.