

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**

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.

Sec. 2. 30-A MRSA §3010, sub-§2-A, as enacted by PL 2007, c. 104, §1, is amended to read:

2-A. Notice on subscriber bills; credits and refunds. Every franchisee shall include on each subscriber bill for service a notice regarding the subscriber's right to a pro rata credit or rebate for interruption of service upon request in accordance with subsection 1 or cancellation of service in accordance with subsection 1-A. The notice must include a toll-free telephone number and a telephone number accessible by a teletypewriter device or TTY for contacting the franchisee to request the pro rata credit or rebate for service interruption or service cancellation. The notice must be in non-technical language, understandable by the general public and printed in a prominent location on the bill in boldface type.

See title page for effective date.

CHAPTER 658

H.P. 1455 - L.D. 2044

An Act To Increase the Death Benefit for Firefighters, Law Enforcement Officers, Emergency Medical Services Personnel and Corrections Officers

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, firefighters, law enforcement officers, emergency medical services personnel and corrections officers work on a daily basis in situations that serve to advance the public good and to further public purposes but that also put their health and lives at risk; 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. 5 MRSA §1532, sub-§6, as enacted by PL 2005, c. 2, Pt. A, §5 and affected by §14, is amended to read:

6. Death benefits. The Governor shall allocate funds from the stabilization fund as needed to pay benefits due pursuant to Title 25, chapter 195-A. Allocations may be made upon written request of the Chief of the State Police, the State Fire Marshal ~~or~~ the Director of Maine Emergency Medical Services or the Commissioner of Corrections and after consultation with the State Budget Officer.

Sec. 2. 25 MRSA c. 195-A, headnote is amended to read:

CHAPTER 195-A

DEATH BENEFITS FOR LAW ENFORCEMENT OFFICERS, FIREFIGHTERS ~~AND~~ EMERGENCY MEDICAL SERVICES PERSONS AND CORRECTIONS OFFICERS WHO DIE WHILE IN THE LINE OF DUTY

Sec. 3. 25 MRSA §1611, sub-§1-A is enacted to read:

1-A. Consumer Price Index. "Consumer Price Index" means the Consumer Price Index for All Urban Consumers, CPI-U, as compiled by the United States Department of Labor, Bureau of Labor Statistics.

Sec. 4. 25 MRSA §1611, sub-§1-B is enacted to read:

1-B. Corrections officer. "Corrections officer" means a person who is responsible for the custody or direct supervision of a person confined in a jail, prison or state correctional facility pursuant to an order of a court or as a result of an arrest and who possesses a current and valid certificate issued by the Board of Trustees of the Maine Criminal Justice Academy pursuant to section 2803-A.

Sec. 5. 25 MRSA §1611, sub-§3, as enacted by PL 2001, c. 439, Pt. CCCC, §4, is repealed and the following enacted in its place:

3. Emergency medical services person. "Emergency medical services person" means a person who is licensed to provide emergency medical treatment under Title 32, chapter 2-B and is serving a public or private agency in an official capacity as an officially recognized or designated employee or member of a rescue squad or ambulance crew, with or without compensation, or who is an employee of an incorporated ambulance service or nontransporting emergency medical service licensed under Title 32, chapter 2-B receiving full or partial financial support from or officially recognized by the State, a municipality or county or an entity created under Title 30-A, chapter 115 or 119 except when the emergency medical service is acting outside the scope of activities expressly authorized by the State, municipality, county or entity created under Title 30-A, chapter 115 or 119.

Sec. 6. 25 MRSA §1612, as amended by PL 2009, c. 421, §3, is further amended to read:

§1612. Death benefit

1. Amount; recipients. In a case in which the chief determines under rules adopted pursuant to this section that a law enforcement officer has died while in the line of duty ~~or~~, in a case in which the State Fire Marshal determines under rules adopted pursuant to this section that a firefighter has died while in the line of duty ~~or~~, in a case in which the director determines under