

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 THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

- C. Assist the council with contract negotiations;
- D. Assist the council with processing invoices;
- E. Serve as a nonvoting member of the council; and
- F. Perform all other duties necessary to assist the council in performing its powers and duties pursuant to subsection 5.

Sec. 3. 35-A MRSA §8704, sub-§4, as amended by PL 2017, c. 408, §6, is further amended to read:

4. Appointment Election of chair and vice-chair. Every 2 years, the members shall elect a chair and a vice-chair from among the membership. The vice-chair shall serve as acting chair in the absence of the chair. The council shall meet at the call of the chair but no fewer than 4 times during the calendar year. The chair may delegate, as necessary, duties to members of the council, either individually or through the formation of subcommittees, to carry out the functions of the council.

See title page for effective date.

CHAPTER 183

H.P. 684 - L.D. 1089

An Act to Require Presentation of the Maine Charter School Commission's Annual Report

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

Sec. 1. 20-A MRSA §2405, sub-§8, ¶E is enacted to read:

E. The commission, or a representative of the commission, shall appear annually in January before the joint standing committee of the Legislature having jurisdiction over education matters to present the annual report required in subsection 4. The commission's appearance before the joint standing committee of the Legislature having jurisdiction over education matters must be in person unless otherwise authorized by the committee.

See title page for effective date.

CHAPTER 184

S.P. 561 - L.D. 1394

An Act to Expand and Strengthen the Competitive Skills Scholarship Program

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

Sec. 1. 26 MRSA §1166, sub-§1, ¶B, as amended by PL 2007, c. 506, §1, is further amended to read:

B. "Competitive Skills Scholarship Fund planned yield" means the percentage of wages, as defined in section 1043, subsection 19, equal to ~~02%~~ .034% of the total wages for each contributing employer subject to this chapter.

Sec. 2. 26 MRSA §2033, sub-§1, ¶A-1 is enacted to read:

A-1. "Certified preapprenticeship training program" means a preapprenticeship training program certified by the Maine Apprenticeship Program pursuant to section 3213.

Sec. 3. 26 MRSA §2033, sub-§1, ¶D-1 is enacted to read:

D-1. "Preapprenticeship training program" has the same meaning as in section 3201, subsection 15-A.

Sec. 4. 26 MRSA §2033, sub-§4, ¶C is enacted to read:

C. A registered apprenticeship program approved pursuant to section 3202 is deemed to have met the requirements of this subsection.

Sec. 5. 26 MRSA §2033, sub-§6, ¶A, as amended by PL 2007, c. 352, Pt. A, §3, is amended to read:

A. The program must provide to a participant, in accordance with rules adopted by the department, when education, training and support are not reasonably available from another recognized program and are necessary to carry out that participant's plan:

- (1) Books, supplies, tools and equipment required by the participant's plan;
- (2) Child care, transportation and other necessary support as determined by the department; ~~and~~
- (3) Assistance needed to obtain remedial or prerequisite education necessary for the participant to participate successfully in the program; ~~and~~
- (4) Related costs of licensing or certification necessary to practice in an occupation for which the individual is qualified.

Money for mandatory fees or tuition may not be provided unless the participant is not eligible for necessary funds from other public grants or scholarships reasonably available to the participant for this purpose.

Registered apprentices and individuals participating in a plan that includes a certified preapprenticeship training program approved pursuant to subsec-

tion 4 are eligible for services under this subsection, including those necessary to participate in any on-the-job learning component of the program, as long as the registered apprentices and individuals meet the requirement of subsection 5, paragraph C.

Sec. 6. 26 MRSA §2033, sub-§7, as enacted by PL 2007, c. 352, Pt. A, §3, is amended to read:

7. Application; decision; appeal. An individual must be given the opportunity to make a written application for education, training and support available from the program and be given a prompt written decision from the department specifically indicating the type and amount of services approved or denied. The costs for an educational transcript, credential evaluation or similar requirement needed to determine eligibility for the program must be paid for by the program for any applicant who is otherwise eligible for participation, as determined by the department, if funds are not reasonably available from another source for this purpose. Any decision related to eligibility for, or the provision of, services under this section must provide notice that the decision may be appealed by the individual through a request for a hearing within 30 days of receipt of the decision in accordance with rules adopted by the department and consistent with Title 5, chapter 375, subchapter 4. The 30-day appeal period may be extended up to 15 additional days if the claimant can show good cause for failing to appeal within the initial 30-day period.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Allocates funds to reflect an increase in the employer contribution rates for the Competitive Skills Scholarship Fund.

	2023-24	2024-25
COMPETITIVE SKILLS SCHOLARSHIP FUND		
All Other	\$3,500,000	\$3,500,000
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	<u>\$3,500,000</u>	<u>\$3,500,000</u>

See title page for effective date.

**CHAPTER 185
H.P. 921 - L.D. 1425**

An Act to Strengthen Freedom of Access Protections by Allowing Remote Meetings to Be Recorded

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

Sec. 1. 1 MRSA §403-B, sub-§2, ¶G, as enacted by PL 2021, c. 290, §1, is amended to read:

G. All votes taken during a public proceeding using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the public body and the public; ~~and~~

Sec. 2. 1 MRSA §403-B, sub-§2, ¶H, as amended by PL 2021, c. 611, §2, is further amended to read:

H. The public body must make all documents and other materials considered by the public body available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to members of the public who attend the proceedings of the public body in person, as long as additional costs are not incurred by the public body. The public body must make the proposed policy regarding remote participation available in advance of the meeting if meeting remotely under paragraph A, subparagraphs (1) and (2); ~~and~~

Sec. 3. 1 MRSA §403-B, sub-§2, ¶I is enacted to read:

I. When the public may attend a public proceeding by remote methods, the public body must allow members of the public to record the proceeding remotely using the same electronic platform that is used to conduct the proceeding remotely as long as the electronic platform allows participants other than the host to record the proceeding remotely, additional costs are not incurred by the public body and the recording of the proceeding does not interfere with the orderly conduct of the proceeding.

See title page for effective date.

**CHAPTER 186
S.P. 744 - L.D. 1828**

An Act Regarding Enhanced 9-1-1 Public Safety Answering Points

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

Whereas, an existing public safety answering point has indicated that as of July 1, 2023, it will no longer provide E-9-1-1 call answering to municipalities in Kennebec County; and