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September 27, 2023

Honorable Anne M. Carney, Chair
Honorable Matthew W. Moonen, Chair
Members of the Joint Standing Committee on Judiciary
State House Station 115
Augusta, Maine 04333-0007

Dear Senator Carney, Representative Moonen and Committee Members:

Pursuant to the directive of the Maine Revised Statutes, Title 1, section 95, I submit the enclosed Revisor's Report for this year, which may be known and cited as RR 2023, Chapter 1. The Revisor's Report is prepared under the authority of Title 1, chapter 4. The corrections made in the report take effect on October 1, 2023, except as otherwise indicated.

There are three parts to this year's Revisor's Report. Part A contains the changes traditionally made in a Revisor's Report. Part B implements the intent of a revision clause directing that the title of the Director of Human Resources be changed to State Human Resources Director. While changes directed by a revision clause usually happen behind the scenes when we update the Maine Revised Statutes, there were other changes that needed to be made to fully implement that change that were not included in the revision clause and so are included in this Revisor's Report. Finally, as you know, Public Law 2019, chapter 475 corrected some gender-specific references contained in Title 1, Title 2, Title 3 and a portion of Title 4 of the Maine Revised Statutes and directed the Revisor's Office to review the statutes to identify references to individuals throughout the statutes that need to be made gender-neutral and implement those revisions through the Revisor's Report as soon as reasonably practicable. In accordance with this directive, we have included in Part C of this year's Revisor's Report corrections to gender-specific references contained in the rest of Title 1 not included in Public Law 2019, chapter 475 and Title 6, Title 8 and Title 25.

Please feel free to contact me if you have any questions or concerns about any of the corrections included in this report. I would be pleased to review the report with the members of the committee should you wish me to do so.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Edward A. Charbonneau'.

Edward A. Charbonneau
Revisor of Statutes

Enclosure

cc: Hon. Troy D. Jackson, President of the Senate
Hon. Rachel Talbot Ross, Speaker of the House of Representatives
Hon. Aaron M. Frey, Attorney General
Hon. Shenna Bellows, Secretary of State
Darek Grant, Secretary of the Senate
Robert B. Hunt, Clerk of the House of Representatives
Suzanne M. Gresser, Executive Director of the Legislative Council
Amy Quinlan, Esq., State Court Administrator
Barbara Cardone, Esq., Administrative Office of the Courts
Julia Finn, Esq., Administrative Office of the Courts
Jeremy Kennedy, Chief of Staff, Governor's Office
Rosamaria Buntjer-Little, ThomsonReuters
Legislative Staff Office Chiefs and Directors

REVISOR'S REPORT 2023
Chapter 1

**Submitted to the Joint Standing
Committee on Judiciary
pursuant to the Maine Revised Statutes,
Title 1, chapter 4.**

**Office of the Revisor of Statutes
State House Station 7
Augusta, Maine 04330-0007
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PART A

Sec. A-1. 1 MRSA §150-S, as enacted by PL 2023, c. 11, §1, is reallocated to 1 MRSA §150-T.

Sec. A-2. 1 MRSA §150-S, as enacted by PL 2023, c. 47, §1, is reallocated to 1 MRSA §150-U.

EXPLANATION

These sections correct a numbering problem created by Public Law 2023, chapters 10, 11 and 47, which enacted 3 substantively different provisions with the same section number.

Sec. A-3. 5 MRSA §17851, sub-§17, as enacted by PL 2023, c. 208, §1, is corrected to read:

17. Member eligible to retire from plans with different normal retirement ages. A member who meets eligibility requirements to retire from plans with different normal retirement ages may retire and, at the election of the member, defer initiation of service retirement benefits from any plan in which the benefits would be reduced because the member has not reached normal retirement age. The deferral ends when the member reaches normal retirement age for the plan. The election to defer is irrevocable and must be made before payment of a service retirement benefit begins. Service retirement benefits deferred under this subsection must be paid by the retirement system without an early retirement reduction and without any retroactive payment for the deferral period. If the member dies before the end of the deferral period, the deferral of benefits ~~apply~~ applies to any continuing beneficiary payments for the same deferral period that would have been applicable to the member.

EXPLANATION

This section makes a grammatical change.

Sec. A-4. 7 MRSA §197, as enacted by PL 2023, c. 473, §1, is corrected to read:

§197. Meat processing workforce development and education

The University of Maine within available funding shall provide cooperative extension education regarding meat and poultry processing, including quality control training and hazard analysis and critical control point training and plan development for meat and poultry processors.

EXPLANATION

This section corrects a clerical error.

Sec. A-5. 14 MRSA §6001, sub-§7, as enacted by PL 2023, c. 386, §1, is reallocated to 14 MRSA §6001, sub-§8.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 379 and 386, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-6. 17-A MRSA §855, sub-§1, ¶A, as amended by PL 2023, c. 316, §10, is corrected to read:

A. The person, in return for an act of prostitution, gives, offers to give or agrees to give a pecuniary benefit either to the person being prostituted or to a 3rd person and the person being prostituted has not in fact attained 18 years of age or the person knows or believes that the person being prostituted has not attained 18 years of age. Violation of this paragraph is a Class C crime; ~~or.~~

EXPLANATION

This section makes a technical correction.

Sec. A-7. 20-A MRSA §13019-H, sub-§5, as enacted by PL 2023, c. 442, §2, is reallocated to 20-A MRSA §13019-H, sub-§6.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 200 and 442, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-8. 22 MRSA §1598, sub-§1-A, as enacted by PL 2023, c. 416, §3, is reallocated to 22 MRSA §1598, sub-§1-B.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 352 and 416, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-9. 22 MRSA §2147, sub-§14, as amended by PL 2023, c. 195, §2 and c. 267, §3, is corrected to read:

14. Registered nurse educators. Registered nurse educators; ~~and~~

Sec. A-10. 22 MRSA §2147, sub-§15, ¶B, as enacted by PL 2023, c. 195, §3, is corrected to read:

B. The Emergency Medical Services' Board adopts rules requiring authorized community paramedicine services to:

- (1) Comply with the Maine Background Check Center Act requirements as described in chapter 1691;
- (2) Conduct initial and ongoing training of all staff regarding their obligations as mandatory reporters;
- (3) Meet licensing standards consistent with those required by Title 22, section 2145, subsections 3 and 4; and
- (4) Coordinate with home health agencies; and

Sec. A-11. 22 MRSA §2147, sub-§15, as enacted by PL 2023, c. 267, §4, is reallocated to 22 MRSA §2147, sub-§16.

EXPLANATION

These sections correct a numbering problem created by Public Law 2023, chapters 195 and 267, which enacted 2 substantively different provisions with the same subsection number, and make technical corrections.

Sec. A-12. 22 MRSA c. 601, sub-c. 9, as enacted by PL 2023, c. 164, §1, is reallocated to 22 MRSA c. 601, sub-c. 10.

Sec. A-13. 22 MRSA §2660-AA, as enacted by PL 2023, c. 164, §1, is reallocated to 22 MRSA §2660-FF.

EXPLANATION

These sections correct a numbering problem created by Public Law 2023, chapters 164 and 330, which enacted 2 substantively different provisions with the same subchapter number.

Sec. A-14. 22 MRSA §3174-V, sub-§3, as enacted by PL 2021, c. 747, §2, is corrected to read:

3. Updated base year option. No later than March 1, 2023, the department shall provide an alternative, updated prospective payment method for each federally qualified health center that is the same as the prospective payment system set forth in 42 United States Code, Section 1396a(bb)(3), except that the base year for determining the costs of providing services must be the average of the reasonable costs incurred in the center's fiscal years ending in 2018 and 2019, adjusted for any change in scope adjustments approved since the base year and for inflation measured by the federally qualified health center market basket percentage published by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. Each federally qualified health

center must be given the option to be reimbursed under the method provided by this subsection or under the method provided by federal law. After December 31, 2023, the department may update the base year described in this subsection to a more recent base year.

EXPLANATION

This section corrects a clerical error.

Sec. A-15. 22 MRSA §3174-KKK, as enacted by PL 2023, c. 288, §1, is reallocated to 22 MRSA §3174-MMM.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 216 and 288, which enacted 2 substantively different provisions with the same section number.

Sec. A-16. 22 MRSA §3953, sub-§1, ¶A, as enacted by PL 2023, c. 359, §5, is corrected to read:

A. Initiation of an Indian child custody proceeding subject to the provisions of this Act;

EXPLANATION

This section corrects a clerical error.

Sec. A-17. 22 MRSA §7852, sub-§2-A, as enacted by PL 2023, c. 176, §9, is corrected to read:

2-A. ~~Assisting~~ Assisted housing facility. "Assisted housing facility" means an assisted living facility, a residential care facility or an independent housing with services program.

EXPLANATION

This section corrects a clerical error.

Sec. A-18. 22 MRSA §7862, sub-§2-A, as enacted by PL 2023, c. 89, §5, is corrected to read:

2-A. Exception. This section does not apply to a contract for the provision of services in a setting for an adult with an acquired brain injury, an intellectual disability, autism

spectrum disorder, as defined in Title 34-B, section 6002, subsection 1, or a related condition, as defined in Title 34-B, section 5001, subsection 5-A.

EXPLANATION

This section corrects a clerical error.

Sec. A-19. 23 MRSA §73, sub-§3, ¶G, as amended by PL 2023, c. 177, §3 and c. 319, §3, is corrected to read:

G. Incorporate a public participation process in which local governmental bodies and the public have timely notice and opportunity to identify and comment on concerns related to transportation planning decisions, capital investment decisions and project decisions. The Department of Transportation and the Maine Turnpike Authority shall take the comments and concerns of local citizens into account and must be responsive to them; ~~and~~

Sec. A-20. 23 MRSA §73, sub-§3, ¶H, as enacted by PL 2023, c. 177, §4, is corrected to read:

H. Ensure opportunity for public input whenever the Department of Transportation or the Maine Turnpike Authority plans to install a solar energy project that will involve the disturbance of more than 1,000 square feet of land area. The department or the authority shall hold a public hearing in the municipality where the solar energy project is to be located; ~~and~~

Sec. A-21. 23 MRSA §73, sub-§3, ¶H, as enacted by PL 2023, c. 319, §4, is reallocated to 23 MRSA §73, sub-§3, ¶I.

EXPLANATION

These sections correct a lettering problem created by Public Law 2023, chapters 177 and 319, which enacted 2 substantively different provisions with the same paragraph letter, and make technical corrections.

Sec. A-22. 24-A MRSA §4303, sub-§25, as enacted by PL 2023, c. 382, §1, is reallocated to 24-A MRSA §4303, sub-§26.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 348 and 382, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-23. 26 MRSA §622, as amended by PL 2023, c. 124, §3, is corrected to read:
§622. Records

Every employer shall keep a true record showing the date and amount paid to each employee pursuant to section 621-A. Every employer shall keep a daily record of the time worked by each such employee, except salaried employees as described in section 663, subsection 3, paragraph K. Records required to be kept by this section must be accessible to any representative of the department at any reasonable hour. ~~Sections 621-A and 622~~ This section and section 621-A do not excuse any employer subject to section 774 from keeping the records required by that section.

EXPLANATION

This section makes a technical correction.

Sec. A-24. 26 MRSA §2006, as amended by PL 2023, c. 13, §§1 to 3, is corrected by correcting the section headnote to read:

§2006. Establishment of State Workforce Investment Board

EXPLANATION

This section corrects a clerical error.

Sec. A-25. 29-A MRSA §160, as enacted by PL 2023, c. 419, §1, is reallocated to 29-A MRSA §161.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 418 and 419, which enacted 2 substantively different provisions with the same section number.

Sec. A-26. 30-A MRSA §4364-A, sub-§1-A, as enacted by PL 2023, c. 264, §2, is reallocated to 30-A MRSA §4364-A, sub-§1-B.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 192 and 264, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-27. 30-A MRSA §4364-B, sub-§1-A, as enacted by PL 2023, c. 264, §3, is reallocated to 30-A MRSA §4364-B, sub-§1-B.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 192 and 264, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-28. 32 MRSA §13831, sub-§6, as enacted by PL 2023, c. 170, §3, is reallocated to 32 MRSA §13831, sub-§7.

EXPLANATION

This section corrects a numbering problem created by Public Law 2023, chapters 170 and 245, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-29. 36 MRSA §191, sub-§2, ¶SSS, as enacted by PL 2023, c. 441, Pt. F, §1, is reallocated to 36 MRSA §191, sub-§2, ¶TTT.

EXPLANATION

This section corrects a lettering problem created by Public Law 2023, chapters 412 and 441, which enacted 2 substantively different provisions with the same paragraph letter.

Sec. A-30. PL 2023, c. 419, §3 is corrected to read:

Sec. 3. Funding. To implement the requirements of the Maine Revised Statutes, Title 29-A, section ~~160~~ 161, the Secretary of State shall lease 8 self-service kiosks and may use, including for technology costs to provide vehicle registration renewal and driver's license and nondriver identification card renewal and replacement, up to \$1,000,000 in available prior year balances in the Personal Services and All Other line categories in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund account as authorized for this purpose in Public Law 2023, chapter 50, Part B. The funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

EXPLANATION

This section corrects a cross-reference.

Sec. A-31. PL 2023, c. 465, §18, amending clause is corrected to read:

Sec. 18. 17-A MRSA §2107, 2nd first ¶, as amended by PL 2021, c. 647, Pt. B, §42 and affected by §65, is further amended to read:

EXPLANATION

This section corrects an amending clause.

Sec. A-32. PL 2023, c. 473, §2 is corrected to read:

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE
Educational and General Activities - UMS 0031**

Initiative: Provides one-time funds for cooperative extension education regarding meat and poultry processing, including quality control training and hazard analysis and critical control point training and plan development for meat and poultry processors.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$142,500
GENERAL FUND TOTAL	\$0	\$142,500

EXPLANATION

This section corrects a clerical error.

PART B

Sec. B-1. 5 MRSA §285-A, sub-§3, as amended by PL 1991, c. 780, Pt. Y, §25, is corrected to read:

3. Voting. All votes of the commission must be one vote cast by labor and one vote cast by management. The votes must be cast by the labor cochair, who must be chosen by the labor members, and the vote must represent the majority opinion of the labor members of the commission, and by the management cochair, who is the ~~Director of the Bureau of State Human Resources Officer~~ or the director's officer's designee.

Sec. B-2. 5 MRSA §286-A, last ¶, as amended by PL 1991, c. 780, Pt. Y, §28, is corrected to read:

State agency operational charges are a per employee fee paid by each agency in the same manner as premiums for state employee health insurance. With the exception of the Legislature, the per employee fee must be paid by all state agencies that have employees who are eligible to participate in the state employee health insurance program. The State Budget Officer shall work with state agencies to budget the funds necessary for the purposes of this paragraph. The ~~Director of the Bureau of State Human Resources Officer~~ shall recommend a fee to the Commissioner of Administrative and Financial Services. The ~~director officer~~ may establish a proportional fee for agencies outside of the Executive Department to reflect those programs utilized by such agencies. The rationale for the recommended fee must be well documented and include the program costs to be met by the

fee. The commissioner shall provide a final recommended fee to the Governor. The Governor shall determine the per employee fee to be included in the normal budget process.

Sec. B-3. 5 MRSA §7032, sub-§4, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

4. Director Officer. "~~Director~~ Officer" means the ~~Director of~~ State Human Resources Officer.

Sec. B-4. 5 MRSA §7034, sub-§7, as amended by PL 1991, c. 528, Pt. III, §15 and affected by Pt. RRR and amended by c. 591, Pt. III, §15, is corrected to read:

7. Implementation. Implement, in a conscientious manner, the tasks and duties assigned by the ~~director~~ officer;

Sec. B-5. 5 MRSA §7035, last ¶, as enacted by PL 2007, c. 240, Pt. HH, §6, is corrected to read:

The ~~director~~ officer may name a designee to conduct employee relations activities set forth in Title 26, chapter 9-B and other proceedings such as negotiations, mediation, fact-finding, arbitration, grievance proceedings, unemployment compensation proceedings, workers' compensation proceedings, human rights proceedings and other labor relations proceedings.

Sec. B-6. 5 MRSA §7036, as amended by PL 2015, c. 442, §1, is corrected by correcting the section headnote to read:

§7036. Duties of the ~~director~~ State Human Resources Officer

Sec. B-7. 5 MRSA §7036, first ¶, as amended by PL 2007, c. 240, Pt. HH, §7, is corrected to read:

The ~~Director of~~ State Human Resources ~~shall be~~ Officer is responsible for the administration of this chapter. In carrying out these duties and responsibilities, the ~~director~~ officer shall:

Sec. B-8. 5 MRSA §7036, sub-§2, ¶A, as enacted by PL 1989, c. 501, Pt. P, §19, is corrected to read:

A. The ~~director~~ officer may employ staff and contract for professional services as necessary to develop and conduct training, organizational development and managerial development programs.

Sec. B-9. 5 MRSA §7036, sub-§2, ¶B, as amended by PL 2007, c. 466, Pt. A, §13, is corrected to read:

B. Charges may be made to state agencies for programs and services provided. Any rate schedule recommended by the ~~director~~ officer is subject to the approval of the commissioner.

Sec. B-10. 5 MRSA §7036, sub-§5, as amended by PL 2015, c. 442, §1, is corrected by correcting the first blocked paragraph to read:

After meeting and consulting with collective bargaining representatives of affected employees, the ~~director~~ officer shall implement the procedures authorized by this

subsection with the goal to establish an efficient hiring process that meets the satisfaction of the agencies that the office serves;

Sec. B-11. 5 MRSA §7036, sub-§7, as amended by PL 2007, c. 466, Pt. A, §14, is corrected by correcting the first blocked paragraph to read:

The ~~director~~ officer shall, at least once a year, meet with the commissioners and directors of other state agencies to discuss, individually, the personnel needs and problems of each state agency and proposed solutions that may be offered by the various agencies. The ~~director~~ officer shall also discuss with each agency any future changes to the civil service system that the ~~director~~ officer intends to propose;

Sec. B-12. 5 MRSA §7036, sub-§10, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

10. Undertake long-term and short-term planning. Undertake long-term and short-term planning with respect to the needs of the civil service system within the ensuing year and in the next 5 years. The ~~director~~ officer shall focus on the types of positions, qualifications and requirements for these positions, technologies and types of procedures necessary to maintain an efficient, modern, comprehensive, conscientious and effective state employee labor force;

Sec. B-13. 5 MRSA §7036, sub-§14, as amended by PL 1997, c. 498, §4, is corrected to read:

14. Employ staff and other assistance. Employ staff, who must be employed in the classified service in accordance with the Civil Service Law. Persons appointed to major policy-influencing positions are unclassified and serve at the pleasure of the ~~director~~ officer. The classified and unclassified employees in the Bureau of Human Resources shall comply with section 7056-A, defining the political activities in which the employees may engage. All managerial, policy-influencing and professional employees in the bureau must be qualified by education, training and experience in the administration of personnel systems;

Sec. B-14. 5 MRSA §7036, sub-§19, as corrected by RR 2001, c. 2, Pt. A, §8, is corrected to read:

19. Hearings. In the course of any investigations under chapters ~~56~~, 65, 67, and 71 and this chapter, hold hearings for the purpose of gathering information. The hearings are not adjudicatory proceedings under the Maine Administrative Procedure Act, chapter 375. In conjunction with the hearings, the ~~director~~ officer may administer oaths and subpoena and require the attendance of witnesses and the production of books, papers, public records and other documentary evidence pertinent to the investigation.

In case of the refusal of any person to comply with any subpoena issued under this subsection or to testify to any matter regarding which that person may be lawfully interrogated, the Superior Court in any county on application of the commissioner may issue an order requiring that person to comply with the subpoena and to testify; and any failure to obey the order of the court may be punished by the court as a contempt of the court;

Sec. B-15. 5 MRSA §7036, sub-§23, as amended by PL 1991, c. 528, Pt. III, §17 and affected by Pt. RRR and amended by c. 591, Pt. III, §17, is corrected to read:

23. Organization and decentralization. Organize the bureau as the ~~director~~ officer determines most efficient and to decentralize personnel management among the various departments and agencies of the State consistent with the requirements of section 7031 and determined in the best interest of efficient administration;

Sec. B-16. 5 MRSA §7038, first ¶, as amended by PL 1999, c. 668, §12, is corrected to read:

The ~~director~~ officer is responsible for the development and monitoring of a communications process between management and subordinate employees in each agency of State Government.

Sec. B-17. 5 MRSA §7038, sub-§1, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

1. Factors to be considered. In the development of a communications' process for each agency, the ~~director~~ officer shall:

- A. Consider the uniqueness and the responsibilities of each agency;
- B. Consider the valuable information that nonsupervisory employees may contribute to the operation of each agency;
- C. Consider the means, including confidentiality of identity, by which nonsupervisory employees may communicate information about department policies, procedures and practices to the management without intimidation or fear of reprisal from management;
- D. Consider the need for communication between supervisory personnel and policy-influencing persons ~~which~~ that is necessary for the efficient and effective implementation of department policies and procedures;
- E. Consider employee evaluation of supervisors as a means of improving supervisory skills and management-employee relations;
- F. Consider the means by which professional and nonprofessional employees discuss issues of mutual concern on a regular basis;
- G. Emphasize an approach that promotes cooperation between management and nonsupervisory personnel; and
- H. Any other variable considered by the ~~director~~ officer to be important to the process.

Sec. B-18. 5 MRSA §7038, sub-§4, as amended by PL 1991, c. 780, Pt. Y, §97, is corrected to read:

4. Penalty for failure to comply. The Commissioner of Administrative and Financial Services may not authorize payment of any debts or liabilities of a department or salaries of persons in policy-influencing positions in a department or agency that, upon written notification by the ~~director~~ officer, is not in compliance with this section.

Sec. B-19. 5 MRSA §7051, sub-§1, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

1. Citizenship. In making appointments to or recruiting for any position on an open competitive basis in the classified service, preference ~~shall~~ must be given to citizens of the United States. This requirement may be waived by the ~~director~~ officer on an individual basis when there exists compelling reasons for the waiver.

Sec. B-20. 5 MRSA §7051, sub-§3, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

3. Hiring and promoting neutrality. The final decision of whether a person will be hired or promoted by the State may not be made in part or wholly by a person related to the job candidate by consanguinity or affinity within the 4th degree. The ~~director~~ officer by rules shall ~~insure~~ ensure that this section ~~will~~ does not deprive any applicant or employee of full consideration for hiring or promotion.

Sec. B-21. 5 MRSA §7051, sub-§5, as amended by PL 2021, c. 601, §1, is corrected to read:

5. Probationary period; permanent appointments. All original appointments to the classified service and all subsequent promotional appointments within the classified service must be for a probationary period. The duration of the probationary period is determined by the ~~director~~ officer in consultation with the director or commissioner of the agency, but in no case may it be for less than 6 months.

A. An employee during the probationary period must be reviewed at the end of the employee's 3rd month of employment by the employee's supervisor. The supervisor and the employee shall mutually discuss the job tasks and the performance of the employee, including any necessary improvements.

B. An employee during the probationary period must be included in the payroll of the department in which the employee has been hired at the time of the commencement of the employee's duties. An employee during the probationary period must be compensated in the same manner as a permanent full-time employee, as long as the employee has been hired in accordance with all applicable laws and procedures.

C. During the probationary period, an employee is not entitled to a pre-disciplinary hearing and may be dismissed, suspended or otherwise disciplined without cause. Dismissal, suspension or any other disciplinary action against an employee during the probationary period is not subject to the grievance and arbitration provision of the collective bargaining agreement.

Sec. B-22. 5 MRSA §7051, sub-§6, as amended by PL 2015, c. 442, §2, is corrected to read:

6. Temporary and provisional appointments. Whenever it is impossible to certify eligible persons for appointment to a vacancy in the classified service, the appointing authority may nominate a person to the ~~director~~ officer. If the nominee is found by the ~~director~~ officer to have had experience and training that appear to qualify the nominee for the position, the nominee may be temporarily appointed to fill the vacancy in accordance with policies and procedures developed by the ~~director~~ officer.

A. The ~~director~~ officer may make a provisional appointment to fill a technical or professional position that requires a specialized knowledge or training to carry out the duties of the position and that cannot be filled from the eligible register.

B. The ~~director~~ officer shall establish a policy to protect persons in temporary positions from remaining in a temporary position for an unreasonable period of time that may not exceed one year except that an extension may be granted to an individual by the ~~director~~ officer when unusual circumstances warrant that extension.

C. The ~~director~~ officer may authorize, without requiring competitive tests, the appointment of unskilled laborers or persons engaged in custodial and domestic work in state institutions or departments.

Sec. B-23. 5 MRSA §7052, as amended by PL 1999, c. 668, §16, is corrected to read:

§7052. Appointments and promotions

Appointments to and promotions in the classified service must be made according to merit and fitness, from eligible lists developed by the ~~director~~ officer pursuant to procedures and policies established by the ~~director~~ officer. A person may not be appointed, transferred, promoted or reduced as an officer, clerk or employee or laborer in the classified service in any manner or by any means other than those prescribed by law or rule pursuant to this chapter.

Sec. B-24. 5 MRSA §7054-A, sub-§1, as enacted by PL 1993, c. 385, §2 and amended by PL 1997, c. 530, Pt. A, §34, is corrected to read:

1. Eligibility. Candidates must be active participants of the ASPIRE-JOBS Program, as defined in Title 22, chapter 1054-A, or current recipients of Temporary Assistance for Needy Families who have completed the ASPIRE-JOBS Program within the past year at the time an application for employment is filed with the Bureau of Human Resources in order to be eligible for preference under this section. Candidates shall make their status in the ASPIRE-JOBS Program known to the ~~Director of State~~ Human Resources Officer in a manner prescribed by the ~~director~~ officer. Eligibility for preference continues for a period of one year after the date of application for employment and may be renewed at the end of one year at the request of the candidate if the candidate continues to meet the other eligibility criteria specified in this subsection. A candidate receives preference only if the candidate has earned a qualifying rating on all relevant examinations.

Sec. B-25. 5 MRSA §7061, first ¶, as amended by PL 1999, c. 668, §17, is corrected to read:

The ~~director~~ officer, in accordance with policies and procedures established by the ~~director~~ officer and in accordance with this section, shall record the duties and responsibilities of all positions in state service and establish classes for these positions. The titles of the positions and classes must be used in all personnel, accounting, budget, appropriation and financial records of all state departments, commissions and institutions.

Sec. B-26. 5 MRSA §7061, sub-§2-A, as enacted by PL 2011, c. 6, §1, is corrected to read:

2-A. Mental health professionals. Job classifications adopted by the ~~director~~ officer under subsection 2 must allow a person licensed as a marriage and family therapist under Title 32, chapter 119 to qualify for mental health therapist positions within the civil service system.

Sec. B-27. 5 MRSA §7061, sub-§6, as enacted by PL 1987, c. 541, is corrected to read:

6. Report. The ~~director~~ officer shall submit a progress report on or before February 15, 1988, to the joint standing committee of the Legislature having jurisdiction over state and local government.

Sec. B-28. 5 MRSA §7062, first ¶, as amended by PL 1999, c. 668, §18, is corrected to read:

The ~~director~~ officer, in accordance with policies and procedures established by the ~~director~~ officer, shall prepare for each class of positions in the classified service registers of persons eligible for appointment to positions in each class. Each eligible register consists of a list of all the persons who have shown by competitive tests, as provided in section 7063, that they possess the qualifications that entitle them to be considered eligible for appointment to any position in the class for which the eligible register is to be prepared, and of employees who have resigned or been dismissed, laid off or granted leaves of absence and whose names have been restored to the eligible register in accordance with this chapter.

Sec. B-29. 5 MRSA §7062, sub-§1, as amended by PL 2015, c. 442, §3, is corrected to read:

1. Placement of names on register. In establishing registers of eligible persons pursuant to this section, the names of all persons attaining the minimum final earned ratings established by the ~~director~~ officer must be placed on the register.

Sec. B-30. 5 MRSA §7062, sub-§2, as amended by PL 1999, c. 668, §19, is corrected to read:

2. Establishment of direct hire procedures. The ~~director~~ officer shall, based on recruitment and retention needs and the provision of section 7036, subsection 22, establish where practicable direct hire procedures.

Sec. B-31. 5 MRSA §7063, 2nd ¶, as amended by PL 2007, c. 466, Pt. A, §16, is corrected to read:

The ~~director~~ officer shall determine the character, type and content of examination for admission to the classified service; the time and place for holding examinations; the form of application blanks for admission to the examination to be filed by applicants; the minimum requirements for admission to the examination; and the value of each phase of the tests used in determining the average rating of the applicant. The ~~director~~ officer may adjust initial test results only to eliminate questions that are proven not relevant to the purposes of the test or that have a bias that is prohibited by state or federal law. Once a minimum final earned rating is established for a particular test, it may not be changed.

Sec. B-32. 5 MRSA §7063, 3rd ¶, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

Public notice of every examination or test shall must be given in the manner prescribed by rules drawn up by the ~~director~~ officer.

Sec. B-33. 5 MRSA §7063, sub-§2, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

2. Administration of tests. The ~~director~~ officer may establish policies and procedures to allow departments and agencies of State Government to administer the tests and to interview persons taking the tests.

Sec. B-34. 5 MRSA §7064, first ¶, as amended by PL 2007, c. 466, Pt. A, §17, is corrected to read:

Positions in the classified service must be filled by original appointment, promotion, transfer, reinstatement or demotion in accordance with policies and procedures developed by the ~~director~~ officer. These policies and procedures must provide for the direct hire of positions in the classified service where appropriate.

Sec. B-35. 5 MRSA §7064, sub-§1, as amended by PL 2007, c. 466, Pt. A, §18, is corrected to read:

1. Objective. In developing policies and procedures for filling positions, the ~~director~~ officer must be guided by the principle of filling each position as efficiently and expeditiously as possible. The ~~director~~ officer shall strive to fill each position in 30 days and no later than 45 days from the date a request to fill a position has been received from a state agency.

Sec. B-36. 5 MRSA §7065, first ¶, as amended by PL 2007, c. 466, Pt. A, §19, is corrected to read:

The ~~director~~ officer shall, as soon as practicable after the adoption of the classification plan, submit to the Legislature a proposed plan of compensation developed by the ~~director~~ officer showing for each class or position in the classified service minimum and maximum salary rates and such intermediate rates as the ~~director~~ officer considers desirable.

Sec. B-37. 5 MRSA §7065, sub-§1, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

1. Salary reductions. When the compensation plan has become effective through its adoption by the Legislature, it ~~shall constitute~~ constitutes the official schedule of salaries for all classes or positions in the classified service, except that, if the adoption of a compensation plan results in the reduction of salary of an employee, the ~~director~~ officer shall certify to the proper fiscal officer of the State that the employee's salary ~~shall~~ is not be subject to any reduction for a period of one year from the effective date of adoption of the plan.

Sec. B-38. 5 MRSA §7065, sub-§2-D, as enacted by PL 1993, c. 705, §2, is corrected to read:

2-D. Recruitment and retention adjustments. Subject to this subsection, the ~~director~~ officer, with the agreement of the bargaining agent, if applicable, may approve payment of recruitment and retention adjustments when the payment of a labor market adjustment is required to recruit and retain an adequate work force.

A. Payment of a recruitment and retention adjustment may be authorized only when justified by the following conditions.

- (1) High turnover exists or long-term vacancies exist within State Government in the relevant occupational classifications or job series.
- (2) The relevant occupational classification or job series has a clear, geographically definable labor market within which the State must compete.
- (3) All appropriate recruitment and retention efforts have been attempted and have proven ineffective at the current levels of compensation.
- (4) Comprehensive, verifiable documentation of labor market compensation levels for the relevant occupation has been compiled to determine competitive pay levels

within the defined labor market. This documentation must demonstrate that a labor market disparity exists and that the disparity represents a long-term, not transitory or seasonal, problem.

B. The labor market adjustment must be reviewed at least every 2 years and adjusted to changes in the labor market or the overall relation of the standard pay policy to the specialized labor market. If the subsequent review provided in this paragraph results in the adjustment being decreased or discontinued, an employee receiving the recruitment and retention adjustment may not be subject to a reduction in pay.

C. To assist the ~~director~~ officer in making a determination under paragraphs A and B, a committee must be formed to evaluate each request from an agency or bargaining agent for a recruitment or retention adjustment. The committee must be composed of a representative of the bureau, a representative of the employing agency or agencies and a representative of the bargaining agent, if applicable. The committee shall evaluate the request against the criteria specified in paragraphs A and B and shall conduct studies as the committee considers necessary to evaluate the request. The committee shall, by majority vote, provide the ~~director~~ officer, the agency and the bargaining agent, if applicable, with a report recommending and documenting adjustments authorized under this subsection. The ~~director~~ officer, the agency and the bargaining agent, if applicable, shall act on this report. If a funding request is necessary to implement an approved adjustment, the ~~director~~ officer shall submit the cost items for inclusion in the Governor's next operating budget within 10 days after action on the report.

Sec. B-39. 5 MRSA §7065, sub-§4, as amended by PL 2007, c. 466, Pt. A, §20, is corrected to read:

4. Compensation above the minimum step. In hiring any employee, the ~~director~~ officer or appointing authority may employ a person who is new to a state job classification above the minimum level established for that classification in order to compensate that person for the experience or outstanding qualifications that the person may possess. The ~~director~~ officer shall establish a policy to reflect the intent of this subsection.

Sec. B-40. 5 MRSA §7068, as enacted by PL 1985, c. 785, Pt. B, §38 and amended by PL 2007, c. 58, §3, is corrected to read:

§7068. Obligation to inform employee

1. Orientation session. The ~~director~~ officer shall provide that during the first 6 months of state employment each employee ~~shall~~ must attend an employee orientation workshop ~~which shall be~~ that is work time for the employee. Such training ~~shall~~ must describe the nature and costs of benefits available to state employees generally, the nature and costs of benefits available to the employee and the circumstances under which the employee's benefit eligibility or cost may be changed. These benefits include, but are not limited to, vacation, holiday and sick leave, insurance programs and retirement programs.

A. In carrying out these programs, the ~~director~~ officer shall invite and include, to the extent they wish to participate, representatives of the Bureau of Employee Health, the Maine Public Employees Retirement System and employee representatives who are bargaining agents for any or all of the state employees attending the conference. Such employee representatives ~~shall~~ participate as the ~~director~~ officer provides in the

program, but ~~shall~~ must at least be given the chance to address employees in represented bargaining units on the rights and obligations of employees under the contract for their bargaining unit and as to insurance programs and other benefits that are available from the employee representative.

2. Information provided to employees. The appointing authority ~~shall be~~ is responsible for attendance of new employees at the orientation session; and shall provide every new employee with written information as to the employee's rate of pay and circumstances under which the rate may be changed, including merit increases.

A. The appointing authority ~~shall is~~ is also be responsible for distributing to new employees such written information as ~~deemed~~ considered appropriate by the ~~director~~ officer to carry out the spirit of this law and such information as provided in applicable labor agreements.

Sec. B-41. 5 MRSA §7069, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

§7069. ~~Director~~ Officer to develop brochure or publication

The ~~director~~ officer shall develop a brochure or publication by which the information in section 7068 is clearly and simply presented. The brochure or publication ~~shall~~ must be made available to new employees upon arrival at their jobs and to other state employees upon request.

Sec. B-42. 5 MRSA §7070, first ¶, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

Every appointment, transfer, promotion, demotion, dismissal, vacancy, change of salary rate, leave of absence, absence from duty and other temporary or permanent change in status of employees in both the classified service and the unclassified service of the Executive and Legislative Departments ~~shall~~ must be reported to the ~~director~~ officer at such time, in such form and together with such supportive or pertinent information as ~~he shall~~ the officer by rule prescribe prescribes.

Sec. B-43. 5 MRSA §7070, 2nd ¶, as amended by PL 2007, c. 466, Pt. A, §21, is corrected to read:

The ~~director~~ officer shall maintain a perpetual roster of all officers and employees in the classified and unclassified services, showing for each person such data that the ~~director~~ officer considers pertinent.

Sec. B-44. 5 MRSA §7070, 3rd ¶, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

Records of the Bureau of Human Resources ~~shall be~~ are public records and open to inspection of the public during regular office hours at reasonable times and in accordance with the procedure as the ~~director~~ officer may provide.

Sec. B-45. 5 MRSA §7071, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

§7071. Employee right to review personnel file

The ~~director~~ officer shall, upon written request from an employee, provide the employee, former employee or his the employee's duly authorized representative with an

opportunity to review ~~his~~ the employee's personnel file. These reviews ~~shall~~ must take place in the Bureau of Human Resources and during its normal office hours. Time spent by an employee in reviewing ~~his~~ the employee's personnel file ~~shall~~ may not be considered as time worked. For the purposes of this section, a personnel file ~~shall include~~ includes, but is not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits ~~which~~ that the ~~director~~ officer has in ~~his~~ the officer's possession.

Sec. B-46. 5 MRSA §7072, as amended by PL 2011, c. 491, §§2 to 6, is corrected to read:

§7072. Training and apprenticeship programs

The ~~director~~ officer shall devise plans for and cooperate with appointing authorities and other supervising officials in the development and conduct of employee training and registered apprenticeship programs to recruit and develop well qualified employees, to aid in meeting affirmative action requirements and to otherwise carry out the State's role as a responsible and effective employer.

The Department of Labor, Bureau of Employment Services shall assist the ~~director~~ officer in determining which classifications are apprenticeable and in encouraging and assisting state agencies to utilize the benefits of registered apprenticeship programs or other training programs.

3. Annual report. The ~~director~~ officer shall include in the annual report of the Bureau of Human Resources the following information:

- A. A review of the development and operation of training and registered apprenticeship programs;
- C. A summary of the agencies and types of positions involved;
- D. A summary of registered apprenticeships;
- E. The number of persons who applied for registered apprenticeship positions under this chapter;
- F. The number of persons who were accepted into the registered apprenticeship program under this chapter;
- G. The number of persons, under this chapter, who successfully completed and the number of persons who failed to complete the program established under this chapter;
- H. The number of persons who, following the successful completion of the program, remain employed;
- I. A summary of other training programs established; and
- J. A breakdown of the total number of persons, defined in paragraphs E, F and G, by sex, race and any other characteristics ~~deemed~~ considered by the ~~director~~ officer to be pertinent to the intent of this chapter.

4. Bargaining agreements. Nothing in this section may operate to invalidate or supersede the provisions of a collective bargaining agreement between an employee organization and the State.

Sec. B-47. 5 MRSA §7082, sub-§5, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

5. Hear appeals. May hear appeals in accordance with this subchapter. Except where otherwise provided by a governing bargaining agreement, any employee or appointing authority aggrieved by the determination of the ~~Director of State Human Resources Officer~~ concerning the classification of positions, the allocation of new positions or the reallocation of existing positions in the classified service may appeal from the determination to the State Civil Service Appeals Board. The appeal must be made within 30 days after receipt of written notice of the determination from the ~~director officer~~. The employee or appointing authority, or ~~his~~ the employee's or appointing authority's representative, ~~shall~~ must be afforded a public hearing before the appeals board. The appeals board shall examine and review the appeal and, upon the vote of at least 3 of its members, make changes in such classification, allocation or reallocation as may be just and equitable. Determinations of the appeals board ~~shall~~ must be transmitted to the State Budget Officer, the ~~Director of State Human Resources, Officer~~ and the employees and department heads affected by the determinations.

A. Any classification of a position and any allocation or reallocation of a position made by the ~~director officer~~ or the appeals board pursuant to this section ~~shall become~~ becomes effective on the first day of the fiscal year following approval by the State Budget Officer and the appropriation of funds for the classification, except that the State Budget Officer may, if ~~he~~ the State Budget Officer determines that sufficient funds exist, authorize an effective date prior to the first day of the ensuing fiscal year.

B. Any request for classification of positions, the allocation of new positions or the reallocation of existing positions in the classified service or the unclassified service ~~shall~~ must be processed by the ~~director officer~~ and the ~~director's officer's~~ determination made within 25 days from the date of filing the request with the Bureau of Human Resources. Any employee or appointing authority that is a party to the request may appeal to the appeals board within 10 days after the expiration of the 25 days allotted for the process of the requests for hearing and review. The appeals board shall examine and review the appeal and make such changes as provided in this section. The appeals board's decision in the appeal ~~shall~~ must be given within 30 days after the hearing on the appeal has been concluded.

C. A hearing before the appeals board is an adjudicatory proceeding under the Maine Administrative Procedure Act, chapter 375, and ~~shall~~ must be held in accordance with chapter 375, subchapter ~~IV~~ 4.

Sec. B-48. 5 MRSA §7083, sub-§4, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

4. Appeal to Director of State Human Resources Officer. If the classified employee is dissatisfied with the written decision following the meeting with the department head, ~~he~~ the employee may appeal in writing to the ~~Director of State Human Resources Officer~~ within 7 working days of meeting with the department head. The ~~director officer~~ shall within 10 working days reply in writing to the aggrieved employee, ~~his~~ the employee's representative and the department head involved stating ~~his~~ the officer's decision, based on the Civil Service Law and rules;

Sec. B-49. 5 MRSA §7083, sub-§5, as enacted by PL 1985, c. 785, Pt. B, §38, is corrected to read:

5. Submission to board. In the event the grievance ~~shall is not have been~~ satisfactorily adjusted under subsections 1 to 4, within the time limits in those ~~sections~~ subsections, the dispute may be submitted to the appeals board within 10 working days following receipt of the ~~director's~~ officer's written decision. The appeals board shall investigate the matters in controversy, shall hear all interested persons who come before it and shall make a written decision, which ~~shall be is~~ binding on the parties involved. The appeals board's written decision ~~shall~~ must be issued within 30 working days after the hearing on the dispute is concluded, unless both parties agree that an extension of the time limit should be allowed; and

Sec. B-50. Effective date. This Part takes effect October 25, 2023.

EXPLANATION

This Part implements the intent of the revision clause under Public Law 2023, chapter 412, Part D, section 3, changing the position "Director of Human Resources" to "State Human Resources Officer," to include changes to references to that position and makes other changes pursuant to the Maine Revised Statutes, Title 1, section 93.

PART C

Sec. C-1. 1 MRSA §18 is corrected to read:

§18. Treasurer receiving money to give bond

The court directing the money to be paid to a county treasurer, in accordance with sections 15 to 17, shall require of ~~such that~~ that treasurer a bond in double the amount ordered to be paid to ~~him~~ that treasurer, with 2 or more sufficient sureties, or with a surety company, as surety, to be approved by ~~said that~~ said that court. Such bonds ~~shall~~ must be payable to the people of the State ~~of Maine~~, for the use of ~~such those~~ those persons, severally, as are entitled to ~~said that~~ that money, and ~~shall~~ must be approved and filed with the clerk of ~~said that~~ said that court before payment of the money to ~~the that~~ that treasurer.

Sec. C-2. 1 MRSA §20, as amended by PL 1975, c. 431, §1, is corrected to read:

§20. Compensation to owners for use of land

If satisfactory compensation is not made to the owner by the officers or agents of the United States under whose direction such lands are taken, ~~he~~ the owner may make complaint to the county commissioners, who, after not less than 14 days' notice to the parties of the time and place of hearing, shall view the premises, hear the parties ~~and~~, assess the damages sustained by the taking of the land for ~~said those~~ those purposes, including the time during which it will be required for such use, as if the land were taken for highway purposes under Title 23, chapter 3, order ~~them~~ the damages to be paid at such time as ~~they~~ the county commissioners direct and award costs to the prevailing party.

Sec. C-3. 1 MRSA §21 is corrected to read:

§21. Report of county commissioners filed with Superior Court; motion for new trial

The county commissioners shall file in the office of the clerk of the Superior Court a report of their doings, which ~~shall be~~ is conclusive upon the parties, unless one of them within 30 days files in court ~~his a~~ a motion for a new trial, which after due notice to the opposite party may for due cause be granted, to be had in ~~said~~ that court.

Sec. C-4. 1 MRSA §71, sub-§1 is corrected to read:

1. Acts by agents. When an act that may be lawfully done by an agent is done by one authorized to do it, ~~his~~ the agent's principal may be regarded as having done it.

Sec. C-5. 1 MRSA §72, sub-§1-A, as enacted by PL 1969, c. 433, §2, is corrected to read:

1-A. Affirmations. When a person required to be sworn is conscientiously scrupulous of taking an oath, ~~he~~ that person may affirm.

Sec. C-6. 1 MRSA §72, sub-§12, as amended by PL 2021, c. 275, §1, is corrected to read:

12. Municipal officers. "Municipal officers" means the mayor and ~~aldermen~~ municipal officers or ~~councillors~~ councilors of a city, the members of the select board or ~~councillors~~ councilors of a town and the assessors of a plantation.

Sec. C-7. 1 MRSA §72, sub-§28, as amended by PL 1975, c. 777, §1, is corrected to read:

28. Written and in writing. "Written" and "in writing" include printing and other modes of making legible words. When the signature of a person is required, ~~he~~ that person must write it or make ~~his~~ that person's mark, but the signatures upon all commissions or the signatures on interest coupons annexed to a corporate bond or other corporate obligation may be facsimiles, engraved or printed. The signatures of any officer or officers of a corporation upon a corporate bond or other corporate obligation, other than interest coupons, may be facsimiles, engraved or printed, on condition that such bond or obligation is signed or certified by a trustee, registrar or transfer agent. In case any officer who has signed or whose facsimile signature has been placed upon such corporate bond, other corporate obligation or interest coupon ~~shall have~~ has ceased to be ~~such an~~ an officer before such corporate bond or other corporate obligation is issued, it may be issued by the corporation with the same effect as if ~~he were such~~ that person were an officer at the date of its issue.

Sec. C-8. 1 MRSA §116, as amended by PL 1989, c. 700, Pt. A, §1, is corrected to read:

§116. Statehood Day

March 15th of each year ~~shall be~~ is designated as Statehood Day, and the Governor shall annually issue a proclamation inviting and urging the people of the State ~~of Maine~~ to observe the day in schools and other suitable places with appropriate ceremony and activity. Statehood Day ~~shall commemorate~~ commemorates the admission of Maine as a state into the United States of America and the ideals and wisdom of those ~~men and women~~ people who have formed Maine's history and traditions. The Department of Education shall make appropriate information available to the people and the schools within the limits of its budget.

Sec. C-9. 1 MRSA §123, as repealed and replaced by PL 1985, c. 737, Pt. A, §1, is corrected to read:

§123. Seamen's Sailors' Memorial Day

The 2nd Sunday in June ~~shall be~~ is designated ~~Seamen's as Sailors'~~ Memorial Day and the Governor shall annually issue a proclamation inviting and urging the people of the State to observe the day with appropriate ceremonies and activities in honor of the ~~women and men~~ people of the State who have been lost at sea.

Sec. C-10. 1 MRSA §201 is corrected to read:

§201. State seal

The seal of the State ~~shall be~~ is a shield, argent, charged with a pine tree (~~Americana, quinis ex uno folliculo setis~~ Pinus strobus) with a moose deer (~~cervus~~ Alces alces), at the foot of it, recumbent; supporters: on dexter side, a ~~husbandman~~ farmer, resting on a scythe; on sinister side, a ~~seaman~~ sailor, resting on an anchor.

In the foreground, representing sea and land, and under the shield, ~~shall be~~ is the name of the State in large Roman capitals, to wit:

MAINE.

The whole ~~shall be~~ is surrounded by a crest, the North Star. The motto, in small Roman capitals, ~~shall be~~ is in a label interposed between the shield and crest, viz.:--DIRIGO.

Sec. C-11. 1 MRSA §202, as repealed and replaced by PL 1977, c. 696, §3, is corrected to read:

§202. Removal of, injury to, neglect of or refusal to deliver up state seal

Whoever intentionally removes the seal of the State of Maine from the office or custody of the Secretary of State at Augusta, ~~or~~ intentionally secretes, defaces, injures or destroys it; or, having ~~the same in his possession or under his control~~ of the seal, intentionally neglects or refuses to deliver it to the Secretary of State upon demand ~~therefor~~, ~~shall be~~ is guilty of a Class C crime.

Sec. C-12. 1 MRSA §363, as enacted by PL 1965, c. 425, §1, is corrected to read:

§363. Secretary of State

To entitle any copy of a law published in the Revised Statutes of 1964 to be read in evidence, there ~~shall~~ must be contained in the same book a printed certificate of the Secretary of State that ~~such the~~ copy is a correct transcript of the text of the original laws. A facsimile of the signature of the Secretary of State imprinted by or at ~~his~~ the Secretary of State's direction upon ~~such the~~ certificate ~~shall have~~ has the same validity as ~~his the~~ Secretary of State's written signature.

Sec. C-13. 1 MRSA §452, as repealed and replaced by PL 1977, c. 696, §10, is corrected to read:

§452. Removal, secretion, mutilation of or refusal to return state documents

Whoever intentionally removes any book, record, document or instrument belonging to or kept in any state office, except books and documents kept and deposited in the State Library, ~~or~~ intentionally secretes, alters, mutilates, defaces or destroys any such book,

record, document or instrument; or, having possession or control of any such book, record, document or instrument ~~in his possession, or under his control~~, intentionally fails or refuses to return the same to that state office; or to deliver the same to the person in lawful charge of the office where the same was kept or deposited; ~~shall be~~ is guilty of a Class D crime.

Sec. C-14. 1 MRSA §503, as amended by PL 1981, c. 48, §1, is corrected to read:

§503. Delivery to successor in office

All revisions of and supplements to the statutes, ~~and supplements thereto~~, the session laws and the Maine Reports sold or furnished to any state, county or municipal officer; ~~shall~~ must be held in trust by ~~said that~~ officer for the sole use of ~~his that officer's~~ office; and at the expiration of ~~his that officer's~~ term of office or on ~~his that officer's~~ removal ~~therefrom from office~~ by death, resignation or other cause, ~~such that officer, or, if he that officer~~ is dead, ~~his that officer's~~ legal representatives, shall turn ~~them those~~ those publications over to ~~his that officer's~~ successor in office. If there is no successor to ~~his the~~ office, ~~such that officer, or his that officer's~~ legal representatives, shall turn over all of ~~said those~~ those publications to the ~~State~~ state, county or municipal unit ~~which that~~ purchased the same.

Sec. C-15. 1 MRSA §953, sub-§1, ¶A, as enacted by PL 1981, c. 494, is corrected to read:

A. Actual reasonable expenses in moving ~~himself the displaced person, his the displaced person's~~ family; or the displaced person's business, farm operation or other personal property;

Sec. C-16. 1 MRSA §953, sub-§3, as enacted by PL 1981, c. 494, is corrected to read:

3. Fixed payment. ~~Any A~~ displaced person eligible for payments under subsection 1, who is displaced from ~~his that person's~~ place of business or from ~~his that person's~~ farm operation and who elects not to accept the payment authorized by subsection 1; may receive a fixed payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment ~~shall be~~ may not be less than \$2,500 nor more than \$10,000. In the case of a business, ~~no a~~ payment may not be made under this subsection unless the department is satisfied that the business:

- A. Cannot be relocated without a substantial loss of its existing patronage; and
- B. Is not part of a commercial enterprise having at least one other establishment not being acquired by a public entity or individual, or private entity on behalf of, under agreement with or with funding from a public entity, ~~which that~~ is engaged in the same or similar business.

Sec. C-17. 1 MRSA §1001, as enacted by PL 1975, c. 621, §1, is corrected to read:

§1001. Statement of purpose

It is essential under the American system of representative government that the people have faith and confidence in the integrity of the election process and the members of the Legislature. In order to strengthen this faith and confidence that the election process reflects the will of the people and that each Legislator considers and casts ~~his that Legislator's~~ vote on the enactment of laws according to the best interests of the public and ~~his that Legislator's~~ constituents, there is created an independent commission on governmental

ethics and election practices to guard against corruption or undue influencing of the election process and against acts or the appearance of misconduct by Legislators.

Sec. C-18. 1 MRSA §1002, sub-§3, as enacted by PL 1975, c. 621, §1, is corrected to read:

3. Oath. Each member ~~shall~~, within 10 days of ~~his~~ that member's appointment, shall take an oath of office to faithfully discharge the duties of a commissioner in the form prescribed by the Constitution. Such oath ~~shall~~ must be subscribed to by the commissioner taking it, certified by the officer before whom it is taken and immediately filed in the Office of the Secretary of State.

Sec. C-19. 1 MRSA §1011, 2nd ¶, as enacted by PL 1975, c. 621, §1, is corrected to read:

The public interest is best served by attracting and retaining in the Legislature ~~men and women~~ individuals of high caliber and attainment. The public interest will suffer if unduly stringent requirements deprive government "of the services of all but princes and paupers."

Sec. C-20. 1 MRSA §1011, 3rd ¶, as enacted by PL 1975, c. 621, §1, is corrected to read:

Membership in the Legislature is not a full-time occupation and is not compensated on that basis; moreover, it is measured in 2-year terms, requiring each member to recognize and contemplate that ~~his~~ the election of that member will not provide ~~him~~ that member with any career tenure.

Sec. C-21. 1 MRSA §1012, sub-§8, as amended by PL 2011, c. 634, §4, is corrected to read:

8. Relative. "Relative" means an individual who is related to the Legislator or the Legislator's spouse or the Legislator's domestic partner as ~~father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, domestic partner, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister, a parent, child, sibling, sibling of a parent, sibling of a parent once removed, first cousin, child of a sibling or of a spouse's or domestic partner's sibling, spouse, domestic partner, grandparent, grandchild, parent-in-law, spouse or domestic partner of a child, sibling of a spouse or domestic partner, stepparent, stepchild, stepsibling, and half-sibling~~ and includes the ~~fiance or fiancée~~ betrothed of the Legislator.

Sec. C-22. 1 MRSA §1014, sub-§1, ¶E, as amended by PL 2007, c. 642, §7, is corrected to read:

E. When a Legislator or a member of the Legislator's immediate family accepts or engages in employment that could impair the Legislator's judgment, or when the Legislator knows that there is a substantial possibility that an opportunity for employment is being afforded the Legislator or a member of the Legislator's immediate family with intent to influence the performance of the Legislator's official duties, or when the Legislator or a member of ~~his~~ the Legislator's immediate family stands to derive a personal private gain or loss from employment, because of legislative action, distinct from the gain or losses of other employees or the general community; and

Sec. C-23. 1 MRSA §1020, as repealed and replaced by PL 1977, c. 696, §13, is corrected to read:

§1020. Penalty for false accusations

~~Any~~ A person who files a false charge of a conflict of interest with the commission or ~~any~~ a member of the commission, ~~which he~~ that the person does not believe to be true, or ~~whoever~~ a person who induces another to file a false charge of a conflict of interest, ~~which he~~ that the person does not believe to be true, ~~shall be~~ is guilty of a Class E crime.

Sec. C-24. 1 MRSA §1021, as enacted by PL 1975, c. 621, §1, is corrected to read:

§1021. Membership on boards, authorities or commissions

It ~~shall~~ is not be a conflict of interest for a Legislator to serve on a public board, authority or commission created by the Legislature so long as ~~there is no~~ a consideration is not paid to the Legislator other than ~~his~~ the Legislator's actual expenses.

Sec. C-25. 6 MRSA §3, sub-§6, as amended by PL 1971, c. 404, §4, is corrected to read:

6. Airman Aircrew member. "Airman Aircrew member" means any individual who engages, as the person in command or as pilot, mechanic or member of the flight crew, in the navigation of aircraft while under way; and any individual who is directly in charge of the inspection, maintenance, overhauling or repair of aircraft, aircraft engines, propellers or appliances.

Sec. C-26. 6 MRSA §3, sub-§13 is corrected to read:

13. Certificate of competency. "Certificate of competency" ~~is~~ means a document issued by the administration to ~~airmen~~ aircrew members specifying the kind of aeronautical activity for which they are ~~deemed~~ determined competent.

Sec. C-27. 6 MRSA §3, sub-§18-C, as enacted by PL 1977, c. 678, §9, is corrected to read:

18-C. Commissioner. "Commissioner" means the Commissioner of Transportation or ~~his~~ the commissioner's designee.

Sec. C-28. 6 MRSA §3, sub-§29 is corrected to read:

29. Resident. "Resident" means a person who has resided and made ~~his~~ the person's home not less than 6 months next prior to ~~his~~ the person's application for registration continuously within the State.

Sec. C-29. 6 MRSA §3, sub-§29-A, as enacted by PL 1977, c. 678, §20, is corrected to read:

29-A. State airways system. "State airways system" means all air navigation facilities available for public use ~~now existing or hereinafter established~~, whether natural or ~~man-made~~ human-made, except for those under the jurisdiction of the Federal Government.

Sec. C-30. 6 MRSA §3, sub-§30 is corrected to read:

30. Structure. "Structure" means any object constructed or installed by ~~man~~ humans, including such objects ~~although~~ regulated or licensed by other provisions of law.

Sec. C-31. 6 MRSA §13, 2nd ¶, as repealed and replaced by PL 1977, c. 678, §27 and amended by PL 1995, c. 504, Pt. B, §10, is corrected to read:

The commissioner ~~shall have~~ has, in any part of the State, the same authority to enforce and to make arrests for the violation of any provision of chapters 1 to 17 or any rule or regulation promulgated ~~thereunder~~ or adopted under those chapters as sheriffs, ~~policemen~~ police officers and constables have in their respective jurisdictions.

Sec. C-32. 6 MRSA §102, sub-§1, ¶A, as enacted by PL 1977, c. 678, §33, is corrected by correcting subparagraph (3) to read:

(3) Waivers of any physical requirements may be given by the commissioner if ~~he~~ the commissioner finds the action to be consistent with safety and public interest.

Sec. C-33. 6 MRSA §102, sub-§2, ¶B, as enacted by PL 1977, c. 678, §33, is corrected to read:

B. All airport managers shall perform the following duties.

(1) The airport manager, or ~~his~~ the airport manager's authorized representative, shall be available during all hours of operation. A current telephone number ~~shall~~ must be on file with the department.

(2) The airport manager shall file a notice to ~~airmen~~ air missions with the Federal Aviation Administration designating any changes in airport conditions that may ~~effect~~ affect safety. A "notice to ~~airmen~~ air missions" file ~~shall~~ must be maintained at the airport.

(3) The airport manager shall display the local traffic pattern, airport traffic safety rules, any noise abatement procedures, and any special orders relating to the airport and its operations at a prominent location on the airport.

(4) The airport manager shall submit a list of federal aviation registration numbers twice yearly to the department in May and November of all aircraft based at ~~his~~ the airport manager's airport.

Sec. C-34. 6 MRSA §103, sub-§2, ¶F, as enacted by PL 1977, c. 678, §33, is corrected to read:

F. All property used for the land operation of the seaplane base, including docks and ramps, ~~shall~~ must be owned by the applicant, or the applicant shall show a statement in writing by the owner that ~~he~~ the applicant has the right to use and has control of the property for the purpose and time intended.

The applicant shall show that any construction or alteration of shorelines on the land area of the base is in conformity with the ~~regulations~~ rules of the Department of Environmental Protection, and with municipal building and other pertinent regulations if applicable.

Sec. C-35. 6 MRSA §201, as amended by PL 1977, c. 678, §36 and PL 1995, c. 504, Pt. B, §10, is corrected to read:

§201. Arrests

The commissioner and inspectors ~~shall have~~, in any part of the State, the same authority to enforce and to make arrests for the violation of any provision of chapters 1 to 17 or any

rule and regulation promulgated ~~thereunder~~ or adopted under those chapters as sheriffs, ~~police officers~~ and constables have in their respective jurisdictions.

Sec. C-36. 6 MRSA §241, 3rd ¶ is corrected to read:

Any 2 or more political subdivisions may agree, by ordinance duly adopted, to create a joint board and delegate to ~~said that~~ board the powers to promulgate, administer and enforce airport zoning regulations to protect the aerial approaches of any airport located within the corporate limits of any one or more of ~~said those~~ political subdivisions. Such joint boards ~~shall~~ must have as members 2 representatives appointed by the chief executive officers of each political subdivision participating in the creation of ~~said the~~ board and a ~~chairman~~ chair elected by a majority of the members so appointed.

Sec. C-37. 6 MRSA §242, sub-§2 is corrected to read:

2. Variances. Any person desiring to erect any structures, ~~or~~ increase the height of any structure, ~~or~~ permit the growth of any tree, or otherwise use ~~his~~ the person's property, in violation of airport zoning regulations adopted under this chapter may apply to the board of appeals, as provided in section 243, subsection 3, for a variance from the zoning regulations in question. Such variances ~~shall~~ must be allowed ~~where~~ when a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of the regulations and of this chapter.

Sec. C-38. 6 MRSA §243, sub-§3, ¶C is corrected to read:

C. To hear and decide specific variances under section 242, subsection 2. ~~Where~~ When a zoning board of appeals or adjustment already exists, it ~~shall~~ must be appointed as the board of appeals. Otherwise, the board of appeals ~~shall consist~~ consists of 5 members, each to be appointed for a term of 3 years and to be removable for cause by the appointing authority upon written charges and after public hearing. In the first instance one member ~~shall~~ must be appointed for a term of 3 years, 2 for a term of 2 years and 2 for a term of one year. ~~Thereafter~~ After the initial appointments, each member appointed ~~shall serve~~ serves for a term of 3 years or until ~~his~~ the member's successor is duly appointed and qualified.

Sec. C-39. 6 MRSA §243, sub-§3 is corrected by correcting the 4th blocked paragraph to read:

The board shall adopt rules in accordance with any ordinance adopted under this chapter. Meetings of the board ~~shall~~ must be held at the call of the ~~chairman~~ chair and at such other times as the board may determine. The ~~chairman~~ chair, or in ~~his~~ the chair's absence the acting ~~chairman~~ chair, may administer oaths and compel the attendance of witnesses. All meetings of the board ~~shall be~~ are public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating ~~such~~ that fact, and shall keep records of its examination and other official actions, all of which ~~shall~~ must immediately be filed in the office of the board and ~~shall be~~ are a public record.

Sec. C-40. 8 MRSA §383, as enacted by PL 1987, c. 505, §2, is corrected to read:

§383. Deposit of receipts; reports

The director may require any lottery sales agents to deposit to the credit of the State Lottery Fund in banks designated by the Treasurer of State all money received by the agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation for the sale of tickets or shares, and to file with the director or ~~his~~ the director's designated agents reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as ~~he~~ the director may require. The director may make such arrangements for any person, including a bank, to perform the functions, activities or services in connection with the operation of the lottery as ~~he may deem~~ the director determines advisable pursuant to this chapter and the rules of the commission, and those functions, activities or services ~~shall~~ constitute lawful functions, activities and services of that person.

Sec. C-41. 8 MRSA §408, sub-§4, as enacted by PL 1983, c. 732, §1, is corrected to read:

4. Member. Any member of the commission who is otherwise a public officer or employee ~~shall may~~ not suffer a forfeiture of ~~his~~ the member's office or employment, or any loss or diminution in the rights and privileges pertaining ~~thereto~~ to the member's office or employment, by reason of membership on the commission.

Sec. C-42. 8 MRSA §566, as enacted by PL 1973, c. 662, §2, is corrected to read:

§566. Injunctions

In addition to any other remedy set forth in this chapter for the enforcement of this chapter or any rule, ~~regulation~~, order or decision of the Commissioner of Public Safety, the Superior Court ~~shall have~~ has jurisdiction upon complaint filed by the commissioner, or any person duly authorized to act for the commissioner, to restrain or enjoin any person or organization from operating any type of motor vehicle racing or doing any act prohibited by this chapter or prohibited by any rule ~~or regulation~~ of the commissioner. If it is established upon hearing that the person or organization, or the officers, agents, servants or employees of such person or organization, charged has been or is operating any type of motor vehicle racing in violation of any rule, ~~regulation~~, order or decision of the commissioner, the court shall enter a decree enjoining ~~said that~~ that person or organization and the officers, agents, servants and employees of ~~said that~~ that person or organization and any other person from further operation of such motor vehicle racing. In case of violation of any injunction issued under this section, the court shall summarily try and punish the person for contempt of court. The existence of other civil or criminal remedies ~~shall be no~~ is not a defense to this proceeding. The commissioner or ~~his~~ the commissioner's authorized agent ~~shall~~ is not be required to give or post a bond when making an application for an injunction under this section.

Sec. C-43. 25 MRSA §1503, as amended by PL 1985, c. 56, §1, is corrected to read:

§1503. Uniform and equipment

Members of the State Police ~~shall must~~ be provided at the expense of the State with a distinctive uniform and badge, and with suitable equipment, all of which ~~shall remain~~ remains the property of the State. When on duty to enforce the laws of the road, and at such other times as the ~~chief~~ Chief of the State Police may require, ~~state policemen~~ members of the State Police shall be in uniform. It ~~shall be~~ is unlawful for any person to wear the

prescribed uniform or badge of the State Police or any distinctive part thereof of that uniform, except on order of the Chief of the State Police.

Sec. C-44. 25 MRSA §1541, sub-§2, as amended by PL 1985, c. 785, Pt. B, §110, is corrected to read:

2. Personnel. The Chief of the State Police may delegate members of the State Police to serve in the ~~bureau~~ State Bureau of Identification upon request of the commanding officer. The commanding officer ~~shall have the authority to~~ may hire ~~such~~ civilian personnel, subject to the Civil Service Law and the approval of the Chief of the State Police, as ~~he may deem~~ the commanding officer considers necessary.

Sec. C-45. 25 MRSA §1594, first ¶ is corrected to read:

Upon the filing with the Chief of the State Police of an application by a member of the State Police in service and upon the determination by the chief that ~~he~~ the member has incurred permanent disability as a result of injuries received in the line of duty, ~~such~~ the member may be retired on a disability retirement allowance equal to 1/2 of the pay per year that is paid to a member of ~~his~~ the grade at which the member was employed at the time of ~~his~~ the disability. A medical board of 3 physicians, designated by the Chief of the State Police, after a medical examination of ~~such~~ the member of the State Police, shall first certify that ~~such~~ the member is mentally or physically incapacitated for further performance of duty, that ~~such~~ the incapacity is likely to be permanent and that ~~he~~ the member should be retired.

Sec. C-46. 25 MRSA §1595, as amended by PL 1967, c. 454, is corrected to read:

§1595. Retirement benefits to ~~wives~~ spouses extended

A surviving ~~widow~~ spouse must be paid 1/2 of the amount that any member of the State Police, including the Chief of the State Police, is receiving either as a pension or a disability retirement allowance under this chapter, and ~~said~~ those payments ~~shall~~ must continue for the remainder of ~~her~~ the spouse's lifetime or until ~~she should remarry~~ the spouse remarries. Payments to the member ~~shall~~ cease as of the day of ~~his~~ the member's death and ~~shall~~ begin to ~~his widow~~ the member's surviving spouse on the following day.

This section ~~shall apply~~ applies to a surviving ~~widow~~ spouse of any member of the State Police who at the time of ~~his~~ that member's death had been eligible to receive or was receiving a pension or a disability retirement allowance under this chapter. Payments to those who were surviving ~~widows~~ spouses on September 3, 1965 ~~shall~~ must be based upon the amount of pension or disability retirement that ~~said~~ the member would have been entitled to receive as of September 3, 1965 under this chapter.

Sec. C-47. 25 MRSA §1668, sub-§2, as enacted by PL 1965, c. 435, is corrected to read:

2. Alternates. If authorized by the laws of ~~his~~ the applicable party state, the administrative head of the state police department of a party state may provide for the discharge of ~~his~~ the duties of office and the performance of ~~his~~ the functions of office on the conference, for periods ~~none of which shall~~ that may not exceed 15 days, by an alternate. ~~No such alternate shall be~~ An alternate is not entitled to serve unless notification of ~~his~~ the alternate's identity and appointment ~~shall have~~ has been given to the conference in ~~such~~ a form as required by the conference ~~may require~~.

Sec. C-48. 25 MRSA §1668, sub-§6, as enacted by PL 1965, c. 435, is corrected to read:

6. Officers. The conference shall elect annually; from among its members; a ~~chairman~~ chair, who ~~shall not be~~ is not eligible to ~~succeed himself for a 2nd term immediately following a term served~~, a ~~vice-chairman~~ vice-chair and a treasurer. The conference shall appoint an executive secretary and fix ~~his~~ the duties and compensation for ~~that office~~. ~~Such~~ The executive secretary ~~shall serve~~ serves at the pleasure of the conference; and together with the treasurer ~~shall must~~ be bonded in ~~such an~~ amount as ~~determined by~~ the conference ~~shall determine~~. The executive secretary also ~~shall serve~~ serves as general secretary of the conference.

Sec. C-49. 25 MRSA §1671, as enacted by PL 1965, c. 435, is corrected to read:

§1671. Additional meetings and services -- Article VI

The members of the conference from any 2 or more party states, upon notice to the ~~chairman~~ chair as to the time and purpose of the meeting, may meet as a section for the discussion of problems common to their states. Any 2 or more party states may designate the conference as a joint agency to maintain for them ~~such~~ those additional common services as they may ~~deem~~ consider desirable for combating organized crime. Except in those cases ~~where~~ when all party states join in such designation for common services, the representative of any group of such designating states in the conference ~~shall constitute~~ constitutes a separate section of ~~such~~ the conference for the performance of the common service or services so designated ~~provided that~~ as long as, if any additional expense is involved, the state so acting ~~shall provide~~ provides the necessary funds for this purpose. The creation of such a section or joint agency ~~shall~~ does not affect the privileges, powers, responsibilities or duties of the states participating ~~therein~~ in a section or joint agency as embodied in the other articles of this compact.

Sec. C-50. 25 MRSA §1672, sub-§2, as enacted by PL 1965, c. 435, is corrected to read:

2. Request for emergency aid. In case of emergency, upon the request of the administrative head of the state police department of a party state, the administrative head of the state police department of each responding state shall order ~~such~~ whichever part of ~~his~~ the state police forces as ~~he~~ that the administrative head of the state police department of the responding state, in ~~his~~ that person's discretion, may find necessary; to aid the state police forces of the requesting state in order to carry out the purposes set forth in this compact. ~~In such case~~ If aid has been requested, it ~~shall be~~ is the duty of the administrative head of the state police department of each responding state to issue the necessary orders for ~~such~~ the use of state police forces of ~~his~~ that state without the borders of ~~his~~ that state; and to direct ~~such~~ those forces to place themselves under the operational control of the administrative head of the state police department of the requesting state.

Sec. C-51. 25 MRSA §1672, sub-§3, as enacted by PL 1965, c. 435, is corrected to read:

3. Participation of personnel. The administrative head of the state police department of any party state, in ~~his~~ that person's discretion, may withhold or recall the state police forces of ~~his~~ that person's state, or any part or any member thereof, serving without its borders.

Sec. C-52. 25 MRSA §1672, sub-§4, as enacted by PL 1965, c. 435, is corrected to read:

4. Rights and immunities. Whenever any of the state police forces of any party state are engaged outside their own state in carrying out the purposes of this compact, the individual members so engaged shall have the same powers, duties, rights, privileges and immunities as members of the state police department of the state in which they are engaged, but in any event, a requesting state shall save harmless any member of a responding state police department serving within its borders for any act or acts done by ~~him~~ that member in the performance of ~~his~~ that member's duty while engaged in carrying out the purposes of this compact.

Sec. C-53. 25 MRSA §2002, sub-§11, as enacted by PL 1985, c. 478, §2, is corrected to read:

11. Reckless or negligent conduct. "Reckless or negligent conduct" means that the applicant, either consciously disregarding or failing to be aware of a risk that ~~his~~ the applicant's conduct would cause such a result, engaged in conduct ~~which~~ that in fact created a substantial risk of death, serious bodily injury or bodily injury to another human being and the applicant's disregard or failure to be aware of that risk, when viewed in light of the nature and purpose of the applicant's conduct and the circumstances known to ~~him~~ the applicant, involved a deviation from the standard of conduct that a reasonable and prudent person would observe in the same situation.

Sec. C-54. 25 MRSA §2054, as enacted by PL 1973, c. 237, is corrected to read:

§2054. Employees not covered

~~No liability~~ Liability under this chapter shall be ~~is not~~ created as to ~~workmen who are~~ employees of a contractor, subcontractor or other employer responsible for compliance with this chapter.

Sec. C-55. 25 MRSA §2102-A, sub-§1, as enacted by PL 1983, c. 736, §2, is corrected to read:

1. Commerce. "Commerce" means trade, traffic, commerce or transportation within or through the jurisdiction of the State. "Commerce" does not mean movement of hazardous materials by a farmer for ~~his~~ the farmer's own use to and from the farm or field within a 20-mile radius.

Sec. C-56. 25 MRSA §2397, first ¶, as repealed and replaced by PL 1969, c. 377, §5, is corrected to read:

The Attorney General, or ~~his~~ the Attorney General's designee, shall ~~have~~ has the power to summon and compel the attendance of witnesses before them or either of them, to testify in relation to any matter ~~which is by~~ that is a subject of inquiry and investigation under sections 2394 to 2396 ~~a subject of inquiry and investigation~~, and to compel the production of all books, records, documents and papers pertaining to ~~said~~ that subject of inquiry and investigation. The Attorney General, or ~~his~~ the Attorney General's designee, may administer oaths and affirmations to persons appearing as witnesses before them; ~~and false swearing in any matter or proceeding aforesaid shall be as described in this paragraph is~~ deemed perjury and shall must be punished as such.

Sec. C-57. 25 MRSA §2447-A, sub-§2, as enacted by PL 1977, c. 639, §1, is corrected to read:

2. Rules. The State Fire Marshal shall, in accordance with the Maine Administrative Procedure Act, establish rules setting forth standards for cellulose ~~fi~~fiber insulation ~~which~~ that may be sold in this State. These rules ~~shall~~ may not be ~~no~~ less stringent than current federal specifications for Insulation Thermal: Cellulosic or Wood Fibre, and the rules may exceed the federal standards if, in the judgment of the State Fire Marshal, the action is ~~deemed~~ necessary to protect the health and safety of the public. The State Fire Marshal may incorporate in those rules provisions for testing procedures different from those established by federal specifications ~~where~~ if, in ~~his~~ the judgment of the State Fire Marshal, these federal tests cannot conveniently be conducted in ~~Maine~~ the State or are not appropriate for ~~Maine~~ use in the State.

Sec. C-58. 25 MRSA §2542, as amended by PL 1971, c. 592, §9, is corrected to read:

§2542. Appointment

A county fire marshal for Aroostook County, in this chapter ~~called~~ referred to as "the "marshal," ~~shall be~~ is appointed by the county commissioners with the approval of the Aroostook County Fire ~~Chiefs'~~ Chief's Association, and ~~shall hold his~~ holds office for 2 years and until ~~his~~ a successor has been appointed and qualified. The location of ~~his~~ the marshal's office ~~shall be as~~ is designated by the county commissioners. ~~He~~ The marshal shall keep a correct account of all ~~his~~ the marshal's doings. ~~He shall~~ The marshal is entitled to receive from the treasury of Aroostook County an amount not to exceed \$10,000 annually, which ~~shall~~ must include both salary and actual expenses incurred by ~~him~~ the marshal in the performance of ~~his~~ the duties of office. The municipal officers of the towns in ~~said~~ the county may authorize ~~such~~ the marshal to perform the duties imposed ~~upon them~~ by sections 2394, 2395 and 2397, and when ~~so~~ authorized, ~~said~~ the marshal ~~shall have~~ has all the powers ~~thereby~~ conferred, by those sections and shall perform all the duties ~~therein~~ prescribed in those sections. ~~Such~~ The marshal shall furnish the Commissioner of Public Safety with ~~such~~ the information ~~as he may require~~ required by the commissioner and shall perform such inspections as the ~~Commissioner of Public Safety~~ commissioner may direct.

Sec. C-59. 25 MRSA §2804, as amended by PL 1975, c. 579, §8, is corrected to read:

§2804. Meetings

The board of trustees shall meet at such time or times as may be reasonably necessary to carry out ~~their~~ its duties, but it shall meet at least once in each calendar quarter at such place and time as the board ~~shall determine~~ determines and it shall meet at the call of the ~~chairman~~ chair. The board shall organize annually by electing a ~~chairman~~ chair, ~~vice-chairman~~ vice-chair and secretary from among its members.

Sec. C-60. 25 MRSA §3507, as enacted by PL 1975, c. 558, is corrected to read:

§3507. Property returned to finder

Any person may surrender property ~~which he~~ that the person has found to a law enforcement agency. ~~Such~~ That person ~~shall be~~ is entitled to have ~~such~~ the surrendered property ~~surrendered~~ returned to ~~him~~ the person if the owner ~~thereof~~ of the property or

other person entitled to possession ~~thereof~~ of the property has not properly claimed the property within 6 months of its surrender to the law enforcement agency, ~~provided such as long as the person who surrendered the property reimburses the law enforcement agency and others authorized for reasonable expenses incurred in its custody of such~~ the property.

Sec. C-61. 25 MRSA §3711, as enacted by PL 1985, c. 56, §3, is corrected to read:

§3711. No solicitation while dressed in uniform

~~Not~~ A law enforcement officer, as defined in section 3701, may not solicit funds or anything of value in the furtherance of any campaign for public office while ~~he~~ the law enforcement officer is dressed in uniform or while wearing the badge of the law enforcement agency that employs ~~him~~ the law enforcement officer.

Sec. C-62. 25 MRSA §3712, as enacted by PL 1985, c. 56, §3, is corrected to read:

§3712. No solicitation by law enforcement officers

~~Not~~ A law enforcement officer, as defined in section 3701, may not solicit funds or anything of value for the furtherance of ~~his~~ the law enforcement officer's campaign for a nonpartisan public office. ~~Nothing in this~~ This subchapter may not be construed to prohibit any other person from soliciting money for the campaign of a law enforcement officer for nonpartisan office.

Sec. C-63. 25 MRSA §3713, sub-§1, as enacted by PL 1985, c. 56, §3, is corrected to read:

1. Use of authority. ~~Not~~ A law enforcement officer, as defined in section 3701, may not use ~~his~~ the law enforcement officer's official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for public office.

EXPLANATION

This Part corrects gender-specific references within statutory units in the Maine Revised Statutes, Titles 1, 6, 8 and 25 pursuant to Public Law 2019, chapter 475, section 52, and, as authorized by Title 1, section 93, this Part also incorporates certain administrative changes and corrections to those statutory units.
