

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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PUBLIC LAWS
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commissioner to approve the employment of teacher aids, teacher assistants and other semiprofessional personnel for service in the kinds of schools described in this section.

The board shall utilize the Department of Educational and Cultural Services and other consultants as necessary to implement the purposes of this section.

All rules adopted by the board shall be adopted in accordance with the procedures set forth in section 21.

Effective September 18, 1981

CHAPTER 410

H. P. 1120 — L. D. 1337

AN ACT to Require Periodic Reapportioning of Districts for Election of Representatives to Congress.

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

Sec. 1. 21 MRSA § 1571 is repealed.

Sec. 2. 21 MRSA § 1571-A is enacted to read:

§ 1571-A. Congressional districts

1. **Composition.** The districts for the election of Representatives to Congress are comprised as follows:

A. The first district is composed of Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo and York Counties. It is entitled to one Representative to Congress.

B. The 2nd district is composed of Androscoggin, Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington Counties. It is entitled to one Representative to Congress.

2. **Redistricting, generally.** In 1983 and every 10 years thereafter, when the Secretary of State has received notification of the number of congressional seats to which the State is entitled and the Federal Decennial Census population count is final, the apportionment commission established pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A, shall review the existing congressional districts. If the districts do not conform to Supreme Court guidelines, the commission shall reapportion the State into congressional districts.

In making such a reapportionment, the commission shall insure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish as equally populated districts as possible.

The commission shall submit its plan to the Clerk of the House no later than 90 calendar days after appointment of the commission. The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the Members of each House within 30 calendar days after the plan is submitted to the Clerk of the House. Such action is subject to the Governor's approval as provided in the Constitution of Maine, Article IV, Part Third, Section 2.

3. **Supreme Judicial Court.** In the event that the Legislature fails to make an apportionment within 30 calendar days, the Supreme Judicial Court shall, within 60 days following the period in which the Legislature is required to act, but fails to do so, make the apportionment. In making such apportionment, the Supreme Judicial Court shall take into consideration plans and briefs filed by the public with the court during the first 30 days of the period in which the court is required to apportion.

The Supreme Judicial Court shall have original jurisdiction to hear any challenge to an apportionment law enacted by the Legislature, as registered by any citizen or group thereof. If any challenge is sustained, the Supreme Judicial Court shall make the apportionment.

Effective September 18, 1981

CHAPTER 411

H. P. 21 — L. D. 14

AN ACT to Clarify the Definition of Resident Individual in the Income Tax Law.

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

Sec. 1. 36 MRSA § 5102, sub-§ 5, as last amended by PL 1979, c. 649, § 1, is further amended to read:

5. **Resident individual.** "Resident individual" ~~shall mean~~ means an individual:

A. Who is domiciled in Maine ~~unless he maintains no permanent place of abode in this State and does maintain a permanent place of abode elsewhere and spends in the aggregate not more than 30 days of the taxable year in this State;~~

B. Who is not domiciled in Maine, but maintains a permanent place of abode in