

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

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

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**Augusta, Maine**  
**2009**

B. Notwithstanding paragraph A, if funding for the new bypass highway project is not available or if state or federal regulations preclude the department from acquiring real property, the department may extend the time period for acquisition of affected properties up to 2 years. Any extension under this paragraph must be submitted no later than 90 days before the expiration of the 2 years under paragraph A to the joint standing committee of the Legislature having jurisdiction over transportation matters for its review and comment.

### **3. Reservation of eminent domain powers.**

Nothing in this section affects or alters the rights of the Department of Transportation to exercise its rights of eminent domain under this Title.

See title page for effective date.

## **CHAPTER 455**

### **H.P. 225 - L.D. 285**

#### **An Act To Amend the Laws Governing the Consolidation of School Administrative Units To Delay All Penalties for One Year**

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

**Whereas,** the deadline for reorganization of school administrative units is approaching; and

**Whereas,** if a school administrative unit does not reorganize, penalties will be imposed against the school administrative unit; and

**Whereas,** this legislation will give school administrative units additional time to reorganize; and

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

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

**Sec. 1. 20-A MRSA §15696, sub-§1,** as amended by PL 2007, c. 668, §§39 to 41 and c. 695, Pt. A, §23, is further amended to read:

**1. Authorized adjustments.** Notwithstanding any other provision of this Title, the following adjustments to the calculation of subsidy under chapter 606-B are required beginning July 1, ~~2009~~ 2010 for a

school administrative unit that is not a conforming school administrative unit:

A. The school administrative unit is eligible for only 50% of the minimum state allocation under section 15689, subsection 1;

B. The school administrative unit's total cost of education is reduced by adjusting the cost component for system administration under section 15680, subsection 1, paragraph A by half;

C. The school administrative unit is not eligible for a transition adjustment under section 15686 or any comparable year-over-year transition amount;

D. The school administrative unit receives less favorable consideration for approval and funding for school construction pursuant to rules of the state board; and

E. The school administrative unit's full-value education mill rate pursuant to section 15671-A is increased by 2% for the purpose of calculating the school administrative unit's required contribution to meet the local share of education costs established pursuant to section 15688, subsection 3-A.

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

Effective June 19, 2009.

## **CHAPTER 456**

### **S.P. 401 - L.D. 1083**

#### **An Act Regarding the Payment of Medicare Part B Premiums for Employees Eligible for Medicare**

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

**Sec. 1. 5 MRSA §285, sub-§14** is enacted to read:

**14. Employees eligible for Medicare.** Notwithstanding subsection 7, if an active employee eligible for Medicare elects to enroll in Medicare, the State shall pay 100% of the employee's share of the premiums for Medicare Part B until such time as the employee enrolls as an eligible retiree pursuant to this section.

See title page for effective date.