

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 6, 2010 to April 12, 2010**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 12, 2010**

**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**  
**2010**

**CHAPTER 486**  
**H.P. 1101 - L.D. 1564**

**An Act To Update the Laws  
Concerning the Maine School  
of Science and Mathematics**

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

**Sec. 1. 20-A MRSA §8202, sub-§2, ¶B**, as enacted by PL 1995, c. 368, Pt. LL, §2, is amended to read:

B. Except as otherwise provided in this paragraph, effective July 1, 1996, the student or the student's parent or guardian shall pay to the school the cost of room and board for the school year. In the case of financial need, the State shall pay to the school the difference between the cost of room and board and the student's or the student's family's ability to pay that cost. The board of trustees shall adopt rules governing the determination of financial need and the cost and schedule of payment of room and board under this paragraph. The determination of financial need must be based on a nationally recognized public or private school financial needs assessment system. A student may use scholarship funds in place of payment for all or part of the cost of room and board and any other fees or expenses incurred as a result of that student's enrollment at the school.

**Sec. 2. 20-A MRSA §8202, sub-§3**, as enacted by PL 1993, c. 706, Pt. A, §4, is amended to read:

**3. Out-of-state tuition.** Students from other states and countries and students pursuing a post-graduate high school year of education may attend the school on a space-available basis by paying the cost of tuition, fees and room and board as established by the board of trustees.

**Sec. 3. 20-A MRSA §8202, sub-§4**, as enacted by PL 1995, c. 665, Pt. FF, §2, is amended to read:

**4. Scholarship fund.** The school must demonstrate its ability to raise private funds to support a scholarship fund. Based on this ability, the Legislature may provide General Fund appropriations to the scholarship fund. Funds available in the scholarship fund may not be used to offset, reduce or eliminate the appropriation of state funds described in subsection 2. The existence of the scholarship fund may not reduce or eliminate the State's funding obligations described in subsection 2.

**Sec. 4. 20-A MRSA §8202, sub-§5** is enacted to read:

**5. Educational enhancement fund.** The school may raise private funds to support an educational enhancement fund to enrich the educational experience of students enrolled at the school. The Legislature may provide General Fund appropriations to the educational enhancement fund. Funds available in the educational enhancement fund may not be used to offset, reduce or eliminate the appropriation of state funds described in subsection 2. The existence of the educational enhancement fund may not reduce or eliminate the State's funding obligations described in subsection 2.

**Sec. 5. 20-A MRSA §8204, sub-§1, ¶C**, as amended by PL 2003, c. 4, §1, is repealed and the following enacted in its place:

C. A member of the regional school unit board of the regional school unit in which the school is located, who must be from the community in which the school is located, or the member's designee;

**Sec. 6. 20-A MRSA §8204, sub-§1, ¶F**, as enacted by PL 1993, c. 706, Pt. A, §4, is amended to read:

F. Three members who are teachers, one of whom is a full-time teacher at the school who is a nonvoting member and is annually elected by members of the school's faculty and 2 of whom are teachers in the State representing different geographic regions of the State, appointed by the Governor. Both full-time and part-time teachers at the school may vote in the election of a faculty member to serve on the board of trustees, and the election must be by secret ballot;

**Sec. 7. 20-A MRSA §8204, sub-§1, ¶I**, as enacted by PL 1993, c. 706, Pt. A, §4, is amended to read:

I. One student member who is a voting member and has been elected as the presiding officer of the student body. The student member may not participate as a board member in executive sessions and may not vote in a public proceeding on any matter that was discussed or considered during an executive session; and

**Sec. 8. 20-A MRSA §8204, sub-§4**, as enacted by PL 1993, c. 706, Pt. A, §4, is amended to read:

**4. Quorum.** A quorum for the transaction of business is constituted by the ~~members in~~ attendance of 1/3 of all voting members and all official actions of the board of trustees require a majority vote of those members present and voting.

**Sec. 9. 20-A MRSA §8204, sub-§7** is enacted to read:

7. Conflict of interest. A board of trustees member shall attempt to avoid conflicts of interest by disclosure or by abstention.

**Sec. 10. 20-A MRSA §8205, sub-§7,** as amended by PL 1997, c. 772, §1, is further amended to read:

**7. Property management.** To lease and to acquire by purchase any property, lands, buildings, structures, facilities or equipment and make improvements to facilities necessary to fulfill the purposes of this chapter. Any lease or lease-purchase agreement must have a term not to exceed 10 years and must be subject to annual appropriation of funds. The ~~community of Limestone~~ Eastern Aroostook Regional School Unit retains ownership of the Limestone Elementary School and the Limestone Junior Senior High School and shares those facilities with the school;

**Sec. 11. 20-A MRSA §8206, sub-§3,** as enacted by PL 1993, c. 706, Pt. A, §4, is amended to read:

**3. School admission.** Admittance of high school juniors and seniors; ~~early admittance of students whose abilities or special circumstances are so exceptional as to warrant early entry; and consideration by the board of trustees for admittance of sophomore students after the junior and senior year programs are fully implemented~~ students and students pursuing a postgraduate high school year of education based on the enrollment criteria established by the board of trustees as provided in section 8205, subsection 11. Students who apply and are accepted by the school are allowed to attend as provided in section 5205, subsection 6;

**Sec. 12. 20-A MRSA §8206, sub-§5,** as enacted by PL 1993, c. 706, Pt. A, §4, is amended to read:

**5. Telecommunications.** ~~Integration of the University of Maine System interactive television system~~ Utilization of distance learning technologies to allow transmission of certain specialty courses conducted at the school for the benefit of high-achieving students attending school units throughout the State.

See title page for effective date.

**CHAPTER 487**

**H.P. 934 - L.D. 1330**

**An Act Regarding Gaming by Charitable Organizations**

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

**PART A**

**Sec. A-1. 17 MRSA c. 14,** as amended, is repealed.

**Sec. A-2. 17 MRSA c. 62** is enacted to read:

**CHAPTER 62**

**GAMES OF CHANCE**

**§1831. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Agricultural society.** "Agricultural society" or "fair" means a nonprofit agricultural fair society eligible for a stipend under Title 7, chapter 4.

**2. Chief of State Police.** "Chief of the State Police" or "chief" means the Chief of the State Police or the chief's designee.

**3. Distributor.** "Distributor" means a person, firm, corporation, association or organization that sells, markets or otherwise distributes sealed tickets, gambling apparatus or any other implements of gambling that may be used in the conduct of a game of chance.

**4. Electronic video machine.** "Electronic video machine" means a machine, however operated, that has a video screen featuring an electronically simulated game and delivers or entitles the person playing or operating it to receive the privilege of playing the electronic video machine without charge, but does not deliver or entitle the person playing or operating the electronic video machine to receive cash, premiums, merchandise, tickets or something of value other than the privilege of playing the electronic video machine without charge. An electronic video machine is a machine that may be licensed in accordance with section 1832, subsection 8. A machine that has a video screen featuring an electronically simulated slot machine as a game is not an electronic video machine, but is a machine as defined in subsection 9.

**5. Game of chance.** "Game of chance" means a game, contest, scheme or device in which:

A. A person stakes or risks something of value for the opportunity to win something of value;

B. The rules of operation or play require an event the result of which is determined by chance, outside the control of the contestant or participant; and

C. Chance enters as an element that influences the outcome in a manner that cannot be eliminated through the application of skill.

For the purposes of this subsection, "an event the result of which is determined by chance" includes but is not limited to a shuffle of a deck of cards, a roll of a