

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.

Augusta, Maine
2009

Sec. 1. Action plan on health disparities. Resolved: That the Department of Health and Human Services, Maine Center for Disease Control and Prevention, offices of minority health and data, research and vital statistics and a Washington County health organization shall work with the Passamaquoddy health directors to help reduce health disparities between the Passamaquoddy Tribe and the State and the United States and Washington County and the State and the United States and shall:

1. Develop an action plan to address the health disparities;
2. Develop recommendations for data collection methods to address the disparities and for finding all data that has been processed; and
3. Report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2011 on:
 - A. The status of the health conditions and disparities;
 - B. The status of the recommendations for data collection and for finding all data that has been processed;
 - C. The status of the action plan, which will address the health needs of the Passamaquoddy Tribe and Washington County; and
 - D. Any recommended language necessary to implement this resolve and discussion of what is necessary to fully implement the action plan.

After receiving the report, the joint standing committee of the Legislature having jurisdiction over health and human services matters may submit legislation related to the report to the First Regular Session of the 125th Legislature.

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

Effective June 8, 2009.

CHAPTER 94

H.P. 129 - L.D. 150

Resolve, Directing the Secretary of State To Conduct a Pilot Program for Ongoing Absentee Voter Status

Sec. 1. Secretary of State to conduct a pilot program for ongoing absentee voter status. Resolved: That the Secretary of State shall conduct a pilot program for ongoing absentee voter status, to include the 3 statewide elections of November 2009, June 2010 and November 2010. The Secretary of

State shall select one or more municipalities that are willing and able to participate in the pilot program. In designing the pilot program, the Secretary of State may consult with other states that have a program for ongoing absentee voter status or a similar program. The Secretary of State shall design or approve the forms and procedures necessary to conduct the pilot program, including the procedures for voters to request ongoing absentee voter status, as well as any conditions that would cause a person's ongoing absentee voter status to be terminated prior to the end of the pilot program; and be it further

Sec. 2. Reporting date established. Resolved: That the Secretary of State shall submit a report concerning the pilot program and any recommended legislation to the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs by February 15, 2011. The committee is authorized to submit legislation related to this report to the First Regular Session of the 125th Legislature after consideration of this report.

See title page for effective date.

CHAPTER 95

H.P. 845 - L.D. 1225

Resolve, To Review the Adjustments in the School Funding Formula Related to School Administrative Units That Are Eligible for the Minimum State Share of Their Total Allocation

Sec. 1. Targeted research projects for fiscal year 2009-10 work plan of the Education Research Institute; technical assistance. Resolved: That the Education Research Institute established in the Maine Revised Statutes, Title 20-A, section 10 shall provide technical assistance to the Legislature by including a targeted research project in the fiscal year 2009-10 work plan as specified in this section. The project agreement with the Education Research Institute must include a project to address the impact of the adjustments in the school funding formula related to school administrative units that are eligible for the minimum state share of their total allocation; and be it further

Sec. 2. Report. Resolved: That the Education Research Institute shall submit a report on the targeted research project described in section 1 to the Joint Standing Committee on Education and Cultural Affairs during the Second Regular Session of the 124th Legislature no later than January 15, 2010. The report must include specific findings and any recommendations from the principal investigators related to

the targeted research project. Following receipt and review of the report, the Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 96
S.P. 496 - L.D. 1361

Resolve, Directing the Department of Labor and the Department of Health and Human Services To Establish a Work Group To Clarify the Working Status of Respite Care and Shared Living Residential Service Providers for Individuals with Developmental Disabilities

Sec. 1. Work group established. Resolved: That the Commissioner of Labor and the Commissioner of Health and Human Services, within existing resources, shall establish a work group, referred to in this resolve as "the work group," to review the status of certain direct support providers with respect to certain laws, such as those governing unemployment compensation, workers' compensation and minimum wage. The commissioners shall invite the participation of representatives from each department and representatives from affected organizations including the Workers' Compensation Board, the Maine State Employees Association and the Maine Association of Community Service Providers and its members; and be it further

Sec. 2. Examine working status of providers. Resolved: That the work group shall examine the services and tasks performed by respite care and shared living residential service providers for adults and children with developmental disabilities to determine if there are ways to clearly identify the working status of those providers. The work group shall also examine whether statutory or regulatory actions are needed to provide clarification of the providers' status; and be it further

Sec. 3. Reporting date established. Resolved: That the Commissioner of Labor and the Commissioner of Health and Human Services shall report the work group's findings and any recommendations to the Joint Standing Committee on Labor by December 15, 2009, along with any statutory changes required to clarify the status of respite care and shared living residential service providers; and be it further

Sec. 4. Authority to introduce legislation. Resolved: That the Joint Standing Committee on Labor may submit legislation to the Second Regular Session of the 124th Legislature to implement the recommendations of the work group.

See title page for effective date.

CHAPTER 97
H.P. 884 - L.D. 1265

Resolve, Regarding Low-profit Limited Liability Companies

Sec. 1. Bureau of Corporations, Elections and Commissions. Resolved: That the Department of the Secretary of State, Bureau of Corporations, Elections and Commissions shall examine the concept of low-profit limited liability companies, review the legislation enacted and pending in other states concerning such entities and consult with attorneys who practice law concerning the types of entity to form as a business or nonprofit organization. The bureau shall report to the Joint Standing Committee on Judiciary no later than January 15, 2010 with recommendations concerning low-profit limited liability companies. The report may include recommended legislation. The Joint Standing Committee on Judiciary may report out legislation to the 124th Legislature in 2010 based on the report.

See title page for effective date.

CHAPTER 98
S.P. 412 - L.D. 1101

Resolve, To Understand and Assist in Efforts To Promote Science, Technology, Engineering and Math Education

Sec. 1. Collect information. Resolved: That the Department of Education and the University of Maine System shall collect science, technology, engineering and math information and data by November 1, 2009 on science, technology, engineering and math initiatives in consultation with the State Board of Education, public and private partnerships, including pilot projects and nonprofit and other organizations and businesses that work on promoting science, technology, engineering and math initiatives through mentoring and other programs and any science, technology, engineering and math initiatives collaborative efforts; and be it further

Sec. 2. Report. Resolved: That with the data and information collected on science, technology, en-