

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

Sec. 11. Legislation defining eligibility of charitable nonprofit organizations to receive funds. The Joint Standing Committee on Veterans and Legal Affairs shall report out legislation to the Second Regular Session of the 125th Legislature defining the eligibility of charitable nonprofit organizations to receive funds from the account held by the Department of Public Safety, Gambling Control Board pursuant to the Maine Revised Statutes, Title 8, section 1036, subsection 2-C, paragraph D for the purposes of mitigating the reduction of charitable donations from revenues from gaming conducted in accordance with Title 17, chapters 13-A and 62 due to the expansion of gaming conducted under Title 8, chapter 31.

Sec. 12. Referendum. Notwithstanding any law to the contrary, the Secretary of State shall prepare and furnish to each city, town and plantation in Penobscot County for the statewide election held in November 2011 all ballots, returns and copies of this Act necessary to conduct the county referendum required pursuant to the Maine Revised Statutes, Title 8, section 1019, subsection 7. The question that appears on the ballot must be:

"Do you favor the addition of table games at a commercial track located in this county that was licensed to operate slot machines on January 1, 2011?"

The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature.

Effective pending referendum.

CHAPTER 418

H.P. 1191 - L.D. 1588

An Act To Provide Funding for the Reapportionment Commission

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

Whereas, this legislation authorizes the transfer of a portion of the funding for reapportionment from fiscal year 2012-13 to fiscal year 2011-12; and

Whereas, it is necessary that these funds be available immediately; 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 preserva-

tion of the public peace, health and safety; now, therefore,

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

Sec. 1. Appropriations and allocations.

The following appropriations and allocations are made.

LEGISLATURE

Legislative Apportionment Commission 0722

Initiative: Moves a portion of the funding for reapportionment from fiscal year 2012-13 to fiscal year 2011-12 to fund the reapportionment of the State's congressional districts, which will occur separately in fiscal year 2011-12 rather than in fiscal year 2012-13, when the reapportionment of the State's House and Senate districts will occur.

GENERAL FUND	2011-12	2012-13
Personal Services	\$4,000	(\$4,000)
All Other	\$56,000	(\$56,000)
GENERAL FUND TOTAL	\$60,000	(\$60,000)

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

Effective July 1, 2011.

CHAPTER 419

S.P. 395 - L.D. 1274

An Act To Restore Equity in Education Funding

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

Sec. 1. 20-A MRSA §15679, sub-§2, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

2. Students-to-staff ratios. In calculating the salary and benefit costs pursuant to this section, the commissioner shall utilize the ~~following~~ student-to-staff ratios specified in paragraphs A and B and adjusted as provided in paragraph C.

A. For the elementary school level and the middle school level:

- (1) The student-to-education technician ratio is 100:1;
- (2) The student-to-guidance staff ratio is 350:1;
- (3) The student-to-librarian ratio is 800:1;

- (4) The student-to-media assistant ratio is 500:1;
- (5) The student-to-health staff ratio is 800:1;
- (6) The student-to-school administrative staff ratio is 305:1; and
- (7) The student-to-clerical staff ratio is 200:1.

B. For the high school level:

- (1) The student-to-education technician ratio is 250:1;
- (2) The student-to-guidance staff ratio is 250:1;
- (3) The student-to-librarian ratio is 800:1;
- (4) The student-to-media assistant ratio is 500:1;
- (5) The student-to-health staff ratio is 800:1;
- (6) The student-to-school administrative staff ratio is 315:1; and
- (7) The student-to-clerical staff ratio is 200:1.

C. Beginning in fiscal year 2012-13, and for each subsequent fiscal year, if the total attending student population for a school administrative unit is less than 1,200 students, the commissioner shall reduce the ratios set forth in paragraphs A and B by 10%.

Sec. 2. 20-A MRSA §15682, as amended by PL 2009, c. 213, Pt. C, §6, is further amended to read:

§15682. Regional adjustment

The commissioner shall make a regional adjustment in the total operating allocation for each school administrative unit determined pursuant to section 15683. The regional adjustment must be based on the regional differences in teacher salary costs, for labor market areas in which the school administrative unit is located, as computed by a statewide education policy research institute, and must be applied only to appropriate teacher salary and benefits costs as calculated under section 15678 and salary and benefit costs of other school-level staff who are not teachers as calculated under section 15679. Beginning in fiscal year 2012-13, and for each subsequent fiscal year, the commissioner shall make a regional adjustment in the total operating allocation for each school administrative unit determined pursuant to section 15683. The regional adjustment must be based on the regional differences in teacher salary costs, for labor market areas in which the school administrative unit is located, as computed by a statewide education policy research institute, and must be applied only to appropriate teacher salary costs as calculated under section 15678 and salary costs of other school-level staff who are not teachers as calculated under section 15679.

Sec. 3. 20-A MRSA §15689, sub-§11 is enacted to read:

11. Minimum economically disadvantaged student adjustment. Beginning in fiscal year 2012-13, and for each subsequent fiscal year, each school administrative unit may receive an adjustment for economically disadvantaged students determined as follows.

A. A school administrative unit is eligible for the adjustment for economically disadvantaged students under the following conditions:

- (1) The school administrative unit receives an adjustment for the minimum state allocation pursuant to subsection 1;
- (2) The school administrative unit's percentage of economically disadvantaged students as determined pursuant to section 15675, subsection 2 is greater than the state average percentage of economically disadvantaged students; and
- (3) The school administrative unit operates a school.

B. The amount of the adjustment for economically disadvantaged students is the difference, but not less than zero, between the state share of the total allocation under this chapter and the amount computed as the school administrative unit's total allocation for economically disadvantaged students, multiplied by the relevant percentage in subsection 1, paragraph B.

Sec. 4. Implementation within existing resources. Notwithstanding any other provision of law, the Department of Education shall implement the provisions of this Act within the existing budgeted resources of the general purpose aid for local schools program.

See title page for effective date.

CHAPTER 420

H.P. 1089 - L.D. 1480

An Act To Correct Errors and Inconsistencies in the Laws of Maine

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

Whereas, acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and