

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

Initiative: Reduces funding by reducing optional coverage for children who are behaviorally challenged and who are in a residential setting.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	(\$645,964)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$645,964)
HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS) DEPARTMENT TOTALS	2011-12	2012-13
GENERAL FUND	\$0	\$22,007
FEDERAL EXPENDITURES FUND	\$0	\$253,229
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$275,236
SECTION TOTALS	2011-12	2012-13
GENERAL FUND	\$0	\$1,397,007
FEDERAL EXPENDITURES FUND	\$0	\$253,229
SECTION TOTAL - ALL FUNDS	\$0	\$1,650,236

See title page for effective date, unless otherwise indicated.

**CHAPTER 658
H.P. 1420 - L.D. 1916**

An Act Making Supplemental Appropriations and Allocations from the Highway Fund for the Expenditures of State Government To Address Revenue Shortfalls Projected for the Fiscal Years Ending June 30, 2012 and June 30, 2013

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 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable 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 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. Appropriations and allocations.

The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF Administration 0339

Initiative: Reduces funding by managing vacancies to maintain budgets within available resources as a result of the April 2012 downward projection of Highway Fund revenues by the Revenue Forecasting Committee.

HIGHWAY FUND	2011-12	2012-13
Personal Services	(\$150,000)	(\$100,000)
HIGHWAY FUND TOTAL	(\$150,000)	(\$100,000)

Bond Interest - Highway 0358

Initiative: Reduces funding for debt service to recognize the federal reimbursement of a portion of the debt service of previously issued Build America Bonds.

HIGHWAY FUND	2011-12	2012-13
All Other	(\$291,735)	(\$291,735)
HIGHWAY FUND TOTAL	(\$291,735)	(\$291,735)

Highway and Bridge Capital 0406

Initiative: Reduces funding for capital projects to maintain budgets within available resources as a result of the April 2012 downward projection of Highway Fund revenues by the Revenue Forecasting Committee.

HIGHWAY FUND	2011-12	2012-13
Capital Expenditures	(\$1,807,370)	(\$1,807,370)
HIGHWAY FUND TOTAL	(\$1,807,370)	(\$1,807,370)

Maintenance and Operations 0330

Initiative: Reduces funding by managing vacancies to maintain budgets within available resources as a result of the April 2012 downward projection of Highway Fund revenues by the Revenue Forecasting Committee.

HIGHWAY FUND	2011-12	2012-13
Personal Services	(\$250,000)	(\$800,000)
HIGHWAY FUND TOTAL	(\$250,000)	(\$800,000)

Multimodal - Freight 0350

Initiative: Adjusts funding to correct allocations for passenger rail that were made to the Multimodal - Freight program in error in Public Law 2011, chapter 649.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	(\$1,812,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$1,812,000)

Multimodal - Passenger Rail Z139

Initiative: Adjusts funding to correct allocations for passenger rail that were made to the Multimodal - Freight program in error in Public Law 2011, chapter 649.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	\$1,812,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,812,000

Urban-Rural Initiative Program 0337

Initiative: Reduces funding based on the statutory percentage to maintain budgets within available resources as a result of the April 2012 downward projection of Highway Fund revenues by the Revenue Forecasting Committee.

HIGHWAY FUND	2011-12	2012-13
All Other	(\$266,355)	(\$319,645)
HIGHWAY FUND TOTAL	(\$266,355)	(\$319,645)

TRANSPORTATION, DEPARTMENT OF

DEPARTMENT TOTALS	2011-12	2012-13
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HIGHWAY FUND	(\$2,765,460)	(\$3,318,750)
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$2,765,460)	(\$3,318,750)

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

Effective May 16, 2012.

CHAPTER 659

H.P. 928 - L.D. 1237

An Act To Prohibit Bullying and Cyberbullying in Schools

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 20-A MRSA §254, sub-§11-A is enacted to read:

11-A. Model policy; reporting. By January 1, 2013, the commissioner shall develop a model policy to address bullying and cyberbullying for use by school administrative units pursuant to section 6554. A copy of the model policy must be sent to each school administrative unit in the State and posted on the publicly accessible portion of the department's website along with any training and instructional materials related to the policy that the commissioner determines necessary.

A. The commissioner shall create a procedure by which school administrative units report substantiated incidents of bullying and cyberbullying to the department on at least an annual basis. These reports may not contain personally identifying information about students or other involved persons, but must delineate the specific nature of the incidents, the consequences and the actions taken.

B. The commissioner may update or revise the model policy and shall post the update or revision on the publicly accessible portion of the department's website and send a copy of the update or revision to each school administrative unit.