

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

veterinarians, dairy inspectors, meat inspectors, livestock marketing specialists, home and small food processing specialists, advisors on new trends such as shared-use kitchens and farm-to-school programs and agricultural and business liaison specialists; and

5. Funding for the marketing of agricultural and food products from the State, a food policy council, a revolving loan program and training in cooperation with the University of Maine Cooperative Extension in business and food processing; and be it further

Sec. 2. Report. Resolved: That, no later than December 5, 2007, the Department of Agriculture, Food and Rural Resources shall report the findings of the ACES study to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Business, Research and Economic Development; and be it further

Sec. 3. Legislation. Resolved: That, no later than December 5, 2007, the Department of Agriculture, Food and Rural Resources shall submit legislation to the Second Regular Session of the 123rd Legislature to implement recommendations developed during the ACES study process.

See title page for effective date.

CHAPTER 14

H.P. 403 - L.D. 525

Resolve, To Stimulate Tourism Development Projects

Sec. 1. The Office of Tourism to develop a nature-based tourism program. Resolved: That the Office of Tourism shall develop within existing resources a nature-based tourism program in 3 separate areas of the State and target and coordinate its tourism development efforts in these areas so that the program will serve as a model for future tourism efforts throughout the State; and be it further

Sec. 2. Reporting date established. Resolved: That the Office of Tourism shall report on its progress in developing the nature-based tourism program to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2008.

See title page for effective date.

CHAPTER 15

H.P. 423 - L.D. 545

Resolve, To Name the Bridge on Route 201 in Jackman over the Moose River the Veterans Memorial Bridge

Sec. 1. Veterans Memorial Bridge. Resolved: That the bridge on Route 201 in the Town of Jackman crossing the Moose River be named the Veterans Memorial Bridge.

See title page for effective date.

CHAPTER 16

H.P. 535 - L.D. 704

Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 97, Private Non-medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of MaineCare Benefits Manual, Chapter III, section 97, Private Non-medical Institution Services, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 8, 2007.

**CHAPTER 17
H.P. 41 - L.D. 40**

Resolve, Regarding Legislative Review of Portions of Chapter 100: Enforcement Procedures, a Major Substantive Rule of the Maine Health Data Organization

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 100: Enforcement Procedures, a provisionally adopted major substantive rule of the Maine Health Data Organization that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 14, 2007.

**CHAPTER 18
S.P. 106 - L.D. 328**

Resolve, To Require an Engineering Study To Determine the Cost of Extending Rail Service from Portland to Fryeburg

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 commuter corridors into Portland are becoming increasingly congested, resulting in more accidents and pollution; and

Whereas, one of the benefits of rail service is that it moves freight that would otherwise be hauled by trucks on our roads; and

Whereas, developing alternative transportation options is important to relieve congestion on our roads and reduce our reliance on foreign oil reserves; and

Whereas, there exists a state-owned rail corridor from Portland to Fryeburg that may be used for rail service; and

Whereas, a study of the engineering costs of upgrading this existing rail corridor must begin as soon as possible to allow reporting to the Second Regular Session of the 123rd Legislature; 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

Sec. 1. Department of Transportation and Northern New England Passenger Rail Authority to conduct engineering study. Resolved: That the Department of Transportation in collaboration with the Northern New England Passenger Rail Authority shall conduct an engineering study to determine the cost of extending rail service from Portland to Fryeburg on rails rated class 3 rails by the Federal Railroad Administration; and be it further

Sec. 2. Report. Resolved: That the Department of Transportation and the Northern New England Passenger Rail Authority shall submit the study and any proposed legislation to the Joint Standing Committee on Transportation no later than January 15, 2008. Following receipt and review of the report, the Joint Standing Committee on Transportation may report out a bill to the Second Regular Session of the 123rd Legislature.