

# MAINE STATE LEGISLATURE

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**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.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

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

Effective May 8, 2007.

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**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.

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**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.