

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.

Penmor Lithographers
Lewiston, Maine
2007

Whereas, this legislation requires a review of the impact of rate setting on special education programs and staffing; now, therefore, be it

Sec. 1. Review of programs and standards; special purpose programs. Resolved: That the Department of Education, collaborating with the State Board of Education; the Children’s Cabinet; the Maine Advisory Council on the Education of Children with Disabilities; the Truancy, Dropout, Alternative Education Advisory Committee; representatives of private, special education facilities; representatives of private, general-purpose agencies; and representatives of students, shall review evidence-based programs and standards designed to promote opportunities for students with special needs. The review must include analyses of:

1. The impact of rate setting on programs and staffing, quality assurance activities, including but not limited to special education facilities, and alternative programs that include a self-assessment process and visits for review and assistance; and
2. The personnel development opportunities that are coordinated with the University of Maine System, the Maine Community College System and private institutions of higher education to determine the adequacy, availability and appropriateness of programs preparing personnel to work in special purpose special education facilities and alternative education programs; and be it further

Sec. 2. Report. Resolved: That, by October 1, 2007, the Department of Education shall submit a report, including the findings of the review conducted under section 1 and recommended legislation, to the Joint Standing Committee on Education and Cultural Affairs for consideration during the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 21

H.P. 1016 - L.D. 1447

Resolve, Directing the Department of Agriculture, Food and Rural Resources To Study Invasive Terrestrial Plant Species

Sec. 1. Study; stakeholders. Resolved: That the Commissioner of Agriculture, Food and Rural Resources shall convene a stakeholder group to conduct a study to develop processes and criteria to assess the danger posed to naturally occurring ecosystems by invasive terrestrial plant species and to determine which invasive plant species are of significant con-

cern. In conducting the study, the commissioner shall solicit input from:

1. The Department of Agriculture, Food and Rural Resources;
2. The Department of Conservation;
3. The Department of Transportation;
4. A representative of the nursery industry;
5. A representative of the horticulture industry;
6. A representative of greenhouse growers;
7. A representative of master gardeners;
8. A plant retailer;
9. The University of Maine Cooperative Extension Service;
10. An environmental organization; and
11. A member of the general public who gardens; and be it further

Sec. 2. Evaluate plants; development of list. Resolved: That, in conducting the study under section 1, the Commissioner of Agriculture, Food and Rural Resources shall evaluate plants commonly referred to as "invasive terrestrial plants" for the purpose of determining which, if any, of these plants should be subject to some form of restriction on commercial distribution, sales or trade by the Department of Agriculture, Food and Rural Resources. In consultation with the stakeholders, the commissioner shall develop a preliminary list of invasive terrestrial plants and a set of preliminary recommendations for preventing the introduction or further distribution of the plants on this list; and be it further

Sec. 3. Report. Resolved: That the Commissioner of Agriculture, Food and Rural Resources shall submit a final report with respect to the study under section 1, including recommendations and any necessary implementing legislation, no later than February 1, 2008 to the Joint Standing Committee on Agriculture, Conservation and Forestry. After receipt and review of the report the joint standing committee may submit legislation to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 22

H.P. 24 - L.D. 21

Resolve, To Provide Access for Persons with Disabilities to Great Ponds

Sec. 1. Department of Conservation and the Department of Inland Fisheries and Wild-

life to study increasing the number of great ponds with access for persons with disabilities.

Resolved: That the Department of Conservation and the Department of Inland Fisheries and Wildlife shall jointly review the geographic and demographic distribution of great ponds in the State with adequate access for persons with disabilities. For the purposes of this resolve, "adequate access" means access for shore-side fishing via a ramp that meets the federal Americans with Disabilities Act of 1990 Accessibility Guidelines or a trail that meets standards developed in consultation with the Department of Labor, Bureau of Rehabilitation Services. Using this information and recommendations received by the Department of Inland Fisheries and Wildlife in response to a 2006 federal civil rights audit, the 2 departments shall develop priorities for increasing the number and providing a geographic and demographic distribution of great ponds with adequate access for persons with disabilities; and be it further

Sec. 2. Reporting date established. Resolved: That the Department of Conservation and the Department of Inland Fisheries and Wildlife shall submit a report of their findings and priorities developed under section 1 to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 3, 2008. The departments shall include in the report an assessment on the feasibility of implementing the priorities based on existing funding and resources.

See title page for effective date.

CHAPTER 23

H.P. 379 - L.D. 495

**Resolve, To Develop an
Appropriate Commemorative
License Plate Decal for Combat
Service**

Sec. 1. Development of decal. Resolved: That the Director of the Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, in consultation with the Secretary of State, shall convene a working group composed of combat veterans to develop an appropriate manner of commemorating combat service in the form of one or more commemorative license plate decals. The working group shall examine the appropriateness of developing a single decal versus the use of decals representing the following combat badges: Army Combat Infantry Badge, Army Combat Medic Badge, Army Combat Action Badge, Combat Action Ribbon and Combat Action Medal. If the working group determines that a single decal is appropriate, it shall design the decal in consultation with the Secretary of State. The director and the Secretary of State shall report the findings and recommendations of the

working group to the Joint Standing Committee on Transportation no later than November 30, 2007. The Secretary of State shall include with the report draft legislation to make appropriate changes to law to implement the recommendations of the working group; and be it further

Sec. 2. Authorization to submit legislation. Resolved: That the Joint Standing Committee on Transportation may submit a bill related to the subject matter of the working group's report under section 1 to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 24

H.P. 612 - L.D. 812

**Resolve, To Direct the
Secretary of State To Examine
Driver's License Laws**

Sec. 1. Secretary of State to examine laws. Resolved: That the Secretary of State shall establish a working group to examine the laws governing eligibility and documentation requirements for applicants for driver's licenses and nondriver identification cards. The Secretary of State shall seek to include in the working group persons with appropriate and relevant expertise or knowledge with respect to the following: immigration law, the needs and interests of migrant workers and others who may be affected by changes in eligibility requirements or documentation standards and issues related to the issuance of driver's licenses or nondriver identification cards to illegal aliens or persons who are not Maine residents. The working group shall develop recommendations with respect to limiting eligibility for driver's licenses and nondriver identification cards to Maine residents and to persons with legal presence status in the United States. The working group shall, at a minimum, examine issues related to standards of residency and proof of residency, standards for determining legal presence status, documentation requirements, methods of verification, the need for exceptions or provisions for special circumstances and the costs of implementing and enforcing such standards and limitations. The Secretary of State shall provide notice of meetings of the working group to the Joint Standing Committee on Transportation. The Secretary of State shall report the findings and recommendations of the working group to the Joint Standing Committee on Transportation no later than January 15, 2008. The Secretary of State shall include with the report draft legislation to make appropriate changes to the eligibility and documentation requirements for applicants for driver's licenses and nondriver identification cards based on the findings and recommendations of the working group; and be it further