

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2008 to March 31, 2008**

**FIRST SPECIAL SESSION**  
**April 1, 2008 to April 18, 2008**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 2008**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 18, 2008**

**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**  
**2008**

chapter 375, subchapter 2-A, final adoption of Chapter 3, Provision of Enhanced E-9-1-1 Access-only Service pursuant to section 1 takes effect October 1, 2008.

See title page for effective date, unless otherwise indicated.

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## CHAPTER 158

**H.P. 1387 - L.D. 1949**

### **Resolve, Regarding Special Education Evaluations**

**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 needs to take effect before the expiration of the 90-day period in order to facilitate planning by local schools; 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 Education to amend rules. Resolved:** That the Department of Education shall amend its rules governing special education to provide a deadline of 45 school days for the completion of an evaluation.

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

Effective March 21, 2008.

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## CHAPTER 159

**H.P. 1539 - L.D. 2165**

### **Resolve, Regarding Legislative Review of Portions of Chapter 103: Sensible Transportation Policy Act, a Major Substantive Rule of the Department of Transportation**

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 103: Sensible Transportation Policy Act, a provisionally adopted major substantive rule of the Department of Transportation that has been submitted to the Legislature for review

pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

See title page for effective date.

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## CHAPTER 160

**H.P. 1536 - L.D. 2162**

### **Resolve, Regarding Legislative Review of Portions of Chapter 850: Health Plan Accountability, a Major Substantive Rule of the Department of Professional and Financial Regulation**

**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 850: Health Plan Accountability, a provisionally adopted major substantive rule of the Department of Professional and Financial Regulation 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 March 21, 2008.

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