

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

products eligible for the sales tax exemption and purchases eligible for a refund of sales tax. The Joint Standing Committee on Taxation and the Joint Standing Committee on Agriculture, Conservation and Forestry may each submit legislation to the Second Regular Session of the 124th Legislature relating to the report.

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

Effective May 4, 2009.

CHAPTER 26

H.P. 439 - L.D. 625

Resolve, To Ensure All Children Covered by MaineCare Receive Early and Periodic Screening, Diagnosis and Treatment Services

Sec. 1. Early and periodic screening, diagnosis and treatment. Resolved: That the Department of Health and Human Services shall form a work group, including representation from the Department of Education and other public and private stakeholders, to evaluate the current system for provision of early and periodic screening, diagnosis and treatment services in the State and to make recommendations to improve the efficiency and effectiveness of those services in meeting the needs of MaineCare-eligible children. The department shall report to the Joint Standing Committee on Health and Human Services by January 15, 2010 on the findings and recommendations of this work group. The Joint Standing Committee on Health and Human Services is authorized to submit legislation related to the report to the Second Regular Session of the 124th Legislature to facilitate the implementation of the work group's recommendations.

See title page for effective date.

CHAPTER 27

H.P. 30 - L.D. 35

Resolve, Directing the State Tax Assessor To Work with Local Law Enforcement Agencies To Improve Tax Collection and Enforcement along the Border of the State

Sec. 1. State Tax Assessor to work with municipal and county officials and law enforcement agencies. Resolved: That the State Tax Assessor shall work with municipal and county officials and law enforcement agencies in areas close to the border with New Hampshire to identify residents of the State who register vehicles, aircraft or watercraft in another state to avoid paying excise taxes in the State and otherwise avoid state income and sales tax. The assessor shall submit a report to the joint standing committee of the Legislature having jurisdiction over taxation matters by January 15, 2011 describing activities conducted pursuant to this resolve and reporting the amount of revenue collected as a result of those activities. The committee may submit legislation to the First Regular Session of the 125th Legislature related to the report.

See title page for effective date.

CHAPTER 28

S.P. 367 - L.D. 984

Resolve, To Establish a Pilot Program To Provide Greater Cooperation and Coordination between the University of Maine System and the Maine Community College System

Sec. 1. Pilot program established. Resolved: That Southern Maine Community College and Kennebec Valley Community College shall develop a pilot program with the University of Southern Maine and the University of Maine at Augusta, respectively, to provide a seamless transition process for students attending the Maine Community College System to earn an associate degree and to transfer their college credits to attend the University of Maine System with the goal of graduating with a baccalaureate degree; and be it further

Sec. 2. Goals. Resolved: That the goals of the pilot program are to develop a model for further collaboration between the participating colleges and universities in the service of student success, retention and degree completion and to provide data for future academic policy for all future student success. To achieve these goals, the participating colleges and universities shall ensure that the pilot program is a student-centered model that:

1. Leads to a seamless pathway between a community college and a university;
2. Supports students in obtaining appropriate information leading to course selection that maximizes the transfer of credits between institutions;

3. Produces a pathway that supports student completion of an associate degree at a participating community college and a baccalaureate degree at a participating university with the minimum number of credits required to graduate from each participating institution;

4. Supports and promotes student success in and between each participating institution; and

5. Leads to higher completion rates for students.

The participating colleges and universities shall ensure that they achieve their goals by designing an evaluation instrument to monitor progress of the pilot program; and be it further

Sec. 3. Report. Resolved: That the Maine Community College System and the University of Maine System shall provide an interim report on the progress of the pilot program no later than January 1, 2010 to the Joint Standing Committee on Education and Cultural Affairs. Following the completion and graduation of the first participating class of students involved in the pilot program, the Maine Community College System and the University of Maine System shall submit a report with an assessment and recommendations to the joint standing committee of the Legislature having jurisdiction over education matters on the future of the pilot program. The joint standing committee is authorized to submit legislation regarding the report during the legislative session in which the report is submitted.

See title page for effective date.

CHAPTER 29

H.P. 508 - L.D. 749

Resolve, Directing the Department of Education To Take Measures To Assist Blind and Visually Impaired Students

Sec. 1. Braille transcriber and assistant. Resolved: That, in order to ensure that blind and visually impaired students are provided with assistance from professionals trained to transcribe and produce Braille documents for students, the Department of Education, referred to in this resolve as "the department," shall develop a proposal to establish standards for the credentialing of Braille transcribers and assistants. The department shall investigate the training required for Braille transcribers in other states in order to ensure comparable training for such a position; and be it further

Sec. 2. Provide for employment. Resolved: That the department may consider the employment of Braille transcribers and assistants who are

receiving training in Braille as an approved special education cost; and be it further

Sec. 3. Report. Resolved: That the department shall present its proposal to the Joint Standing Committee on Education and Cultural Affairs no later than December 3, 2009. After receipt and review of the report, the Joint Standing Committee may report out legislation to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 30

H.P. 399 - L.D. 561

Resolve, To Direct State Agencies To Develop Policies To Guide Employees When Accessing Private Woodland, Farmland or Coastal Lands

Sec. 1. Policies. Resolved: That the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, the Department of Marine Resources, the Department of Agriculture, Food and Rural Resources and the Department of Conservation, referred to in this resolve as "the departments," shall develop written policies regarding entering private woodland, farmland or coastal lands for non-emergency purposes to collect information. The policies must address such items as when prenotification or permission is appropriate; when no notification or permission is needed; what constitutes notification or permission; motorized and nonmotorized access; and when woodland or farmland owners or owners of coastal lands should be informed regarding potential uses of data or information collected. The departments may have different policies for accessing woodland, farmland or coastal lands for different purposes. This resolve does not interfere with the departments' enforcement authority; and be it further

Sec. 2. Feedback from woodland owners. Resolved: That, in developing the policies under section 1, the departments shall solicit feedback from woodland and farmland owners and owners of coastal lands. The departments shall ensure that department employees are aware of and comply with the policies. The departments may alter these policies as necessary; and be it further

Sec. 3. No rulemaking. Resolved: That the policies required under this resolve do not constitute rules and the departments are not required to further undertake rulemaking for purposes of adopting these policies; and be it further

Sec. 4. Report on policies; legislation authorized. Resolved: That the departments shall