

# 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.**

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**Augusta, Maine**  
**2009**

report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2010 on the policies developed under section 1. The report must include a copy of each department's policies pertaining to accessing private woodlands, farmlands and coastal lands and a summary of input received from farmland and woodland owners and owners of coastal lands during the development of these policies. The report must also include a description of how information collected on private land is used by the departments, the types of information that are available to the public and how that information is provided.

The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the Second Regular Session of the 124th Legislature pertaining to state employees' access to private lands or the dissemination of information collected on private lands; and be it further

**Sec. 5. Adoption. Resolved:** That the policies required under this resolve must be adopted by January 1, 2010.

See title page for effective date.

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**CHAPTER 31**

**H.P. 239 - L.D. 299**

**Resolve, Regarding Legislative Review of Portions of Chapter 4: Water-based Fire Protection Systems, a Major Substantive Rule of the Office of the State Fire Marshal**

**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 4: Water-based fire protection systems, a provisionally adopted major substantive rule of the Department of Public Safety, Office of the State Fire Marshal 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, 2009.

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**CHAPTER 32**

**H.P. 505 - L.D. 722**

**Resolve, Directing a Review of the Management of Risks Associated with Surface Uses on Public Water Supplies**

**Sec. 1. Agency review of management of risks associated with surface uses on public water supplies; report; authority to submit legislation. Resolved:** That the drinking water program of the Department of Health and Human Services is directed to review the management of risks associated with surface uses on lakes and ponds that are public water supplies. The drinking water program shall invite the participation of state agencies involved in locating, maintaining and managing access to and surface uses on lakes and ponds used as public water sources. By January 5, 2010, the drinking water program shall submit to the Joint Standing Committee on Natural Resources recommendations, including implementing legislation if any, on managing the risks in a way that balances public health and safety and recreational uses. The Joint Standing Committee on Natural Resources may submit legislation concerning the recommendations to the Second Regular Session of the 124th Legislature.

See title page for effective date.

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**CHAPTER 33**

**S.P. 226 - L.D. 611**

**Resolve, To Provide Reimbursement in the MaineCare Program for Board-certified Behavior Analysts**

**Sec. 1. Reimbursement for board-certified behavior analysts. Resolved:** That the Department of Health and Human Services shall amend the