

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

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 Chapter 285: Adjustment of Non-bank Mortgage Lending Fees, 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, 2011.

CHAPTER 5
H.P. 6 - L.D. 14

**Resolve, Regarding Legislative
Review of the Final Repeal of
Chapter 270: Adjustment of
Volume Fees, 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requires legislative authorization before major substantive agency rules may be finally adopted, amended, suspended or repealed by the agency; and

Whereas, the repeal of 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 repeal 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Repeal. Resolved: That final repeal of Chapter 270: Adjustment of Volume Fees, a provisionally repealed major substantive rule of the Department of Professional and Financial Regulation that has been submitted to the Legislature for review pursuant to the Maine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 24, 2011.

CHAPTER 6
H.P. 4 - L.D. 12

**Resolve, Regarding Legislative
Review of Portions of Chapter
131: The Maine Federal, State
and Local Accountability
Standards, a Major
Substantive Rule of the
Department of Education**

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 131: The Maine Federal, State and Local Accountability Standards, a provisionally adopted major substantive rule of the Department of Education 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 25, 2011.

CHAPTER 7

H.P. 167 - L.D. 190

Resolve, Regarding Legislative Review of Chapter 2-C: Voluntary Municipal Farm Support Program, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources

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 Chapter 2-C: Voluntary Municipal Farm Support Program, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources 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 25, 2011.

CHAPTER 8

S.P. 134 - L.D. 430

Resolve, To Name the Maine Fire Training and Education Program at Southern Maine Community College the Maine Fire Service Institute

Sec. 1. Maine Fire Service Institution. Resolved: That Southern Maine Community College shall name its fire training and education program the Maine Fire Service Institute.

See title page for effective date.

CHAPTER 9

S.P. 107 - L.D. 394

Resolve, Directing the Conveyance of Conservation Land in Rockport

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, the Department of Conservation jointly with the Land for Maine's Future Board enforces terms and conditions according to which certain other cooperating entities as defined in the Maine Revised Statutes, Title 5, section 6201 that acquire land with funding from the Land for Maine's Future Fund may sell or exchange lands or change the use of the land only with the approval of the Legislature by 2/3 of all members elected to each House in accordance with Title 5, section 6209; now, therefore, be it

Sec. 1. Land for Maine's Future Board and Director of Bureau of Parks and Lands authorized, but not directed, to allow Coastal Mountains Land Trust to convey certain interests in land in the Town of Rockport, in Knox County. Resolved: That the Land for Maine's Future Board as established by the Maine Revised Statutes, Title 5, section 12004-G, subsection 29 and the Director of the Bureau of Parks and Lands within the Department of Conservation may authorize Coastal Mountains Land Trust to convey by quitclaim deed portions of certain interests in the Brown tract in the Ragged Mountain Preserve located in the Town of Rockport in Knox County, further described in the Knox County Registry of Deeds in Book 3657, Pages 63 to 67 and acquired with funding from the Land for Maine's Future Fund as established by Title 5, section 6203.