

# 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.**

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**Augusta, Maine**  
**2011**

**CHAPTER 21**  
**H.P. 87 - L.D. 105**

**Resolve, Regarding Legislative  
Review of Chapter 13:  
Municipal Service Fee, a Major  
Substantive Rule of the  
Department of Health and  
Human Services**

**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 13: Municipal Service Fee, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The name of the fee in the rule is changed to the state share of vital records fee from the municipal service fee;

2. The date of each month by which municipalities must remit the state share of vital records fee to the State is changed to the 30th of each month from the 15th; and

3. The portion of the rule allowing the cap on the state share of vital records fees to increase by up to 5% per fiscal year is removed from the rule.

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

Effective April 15, 2011.

**CHAPTER 22**  
**H.P. 451 - L.D. 593**

**Resolve, Regarding Legislative  
Review of Chapter 3:  
Eligibility Requirements for  
Specialized Case Types, a  
Major Substantive Rule of the  
Maine Commission on Indigent  
Legal Services**

**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 3: Eligibility Requirements for Specialized Case Types, a provisionally adopted major substantive rule of the Maine Commission on Indigent Legal Services 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 April 20, 2011.

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**CHAPTER 23**  
**H.P. 376 - L.D. 483**

**Resolve, Directing the Maine  
Turnpike Authority To Place  
Signs Directing Motorists to  
Hebron Academy at the Closest  
Interstate Exits**

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Hebron Academy is a college preparatory boarding and day school located in the Town of Hebron; and

**Whereas,** Hebron Academy's student body currently represents many different countries and many states throughout the United States; and

**Whereas,** it is important to ensure that directional signs be in place immediately because increased visibility on the Interstate 95 corridor is critical to the ability of the public, as well as those members of the student body who are unfamiliar with the State, to locate Hebron Academy; 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. Signs placed for Hebron Academy. Resolved:** That the Maine Turnpike Authority, notwithstanding national guidelines relating to directional signs for highways, shall place directional signs on the portion of Interstate 95 designated as the Maine Turnpike at the northbound and southbound exits of the highway that are located closest to Hebron Academy and that Hebron Academy shall assume all costs associated with the directional signs.

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

Effective April 20, 2011.

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**CHAPTER 24**

**S.P. 67 - L.D. 216**

**Resolve, Regarding MaineCare Tobacco Treatment and Smoking Cessation Benefits**

**Sec. 1. Best practice and model treatment programs. Resolved:** That the Department of Health and Human Services, through the Partnership for a Tobacco-Free Maine, the Maine Center for Disease Control and Prevention and the Office of MaineCare Services, shall work to address and reduce tobacco use by MaineCare members. The department shall identify best practice measures for reducing the smoking rate of MaineCare members. The department shall determine ways to increase use of the MaineCare tobacco treatment benefit while working within exist-

ing resources to fund projects necessary to reach MaineCare members. The department shall submit a written report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its progress under this section by November 30th each year through 2014.

See title page for effective date.

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**CHAPTER 25**

**H.P. 330 - L.D. 412**

**Resolve, Regarding Legislative Review of Portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a Major Substantive Rule of the Department of Environmental Protection**

**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 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.