

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**September 27, 2011**

**SECOND REGULAR SESSION**  
**January 4, 2012 to May 31, 2012**

**THE EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**LAWS IS**  
**SEPTEMBER 28, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 30, 2012**

**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**  
**2012**

**CHAPTER 125**  
**H.P. 1306 - L.D. 1775**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
115: Certification,  
Authorization and Approval of  
Education Personnel, Parts I  
and II, a Major Substantive  
Rule of the Department of  
Education and the State Board  
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 115: Certification, Authorization and Approval of Education Personnel, Parts I and II, a provisionally adopted major substantive rule of the Department of Education and the State Board 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 only if that portion of the rule designated as Part II, Section 2.7, subsection B, paragraph 4, Certificate Eligibility Pathway 4, is amended to clarify the 4 distinct requirements of this eligibility pathway.

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

Effective March 14, 2012.

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**CHAPTER 126**  
**S.P. 540 - L.D. 1630**

**Resolve, To Establish a  
Stakeholder Group for the  
Development of a Plan for the  
Inventory and Proper Care of  
Veterans' Graves**

**Sec. 1. Creation of stakeholder group; membership. Resolved:** That, within its existing resources, the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services shall establish a stakeholder group, referred to in this resolve as "the stakeholder group," for the development of a plan for the inventory and proper care of veterans' graves. The bureau shall invite the participation of representatives of municipal government, county government, genealogy groups and veterans' organizations; a designee of the Maine Old Cemetery Association and a designee of the Maine Cemetery Association; and interested members of the public; and be it further

**Sec. 2. Duties. Resolved:** That the stakeholder group shall review the status of the graves of all veterans of the United States Armed Forces throughout the State. The stakeholder group is not required to consider veterans' graves in private cemeteries unless they are considered ancient burying grounds subject to care and maintenance by a town or county as prescribed by the Maine Revised Statutes, Title 13, sections 1101 to 1102. The stakeholder group shall issue a report that makes recommendations to ensure that veterans' graves are properly cared for, especially those of veterans who no longer have family members who are able to monitor and maintain those graves; and be it further

**Sec. 3. Report. Resolved:** That, no later than January 15, 2013, the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services shall report the stakeholder group's findings and recommendations and any suggested legislation to the joint standing committees of the Legislature having jurisdiction over veterans matters and state and local government matters.

See title page for effective date.

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