

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**SECOND SPECIAL SESSION**  
**July 29, 2005**

**SECOND REGULAR SESSION**  
**January 4, 2006 to May 24, 2006**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 28, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 23, 2006**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2006**

inform the public that household and agricultural pesticides will be collected.

See title page for effective date.

## CHAPTER 586

S.P. 843 - L.D. 2102

### **An Act To Change the Date for Agency Submission of Provisionally Adopted Major Substantive Rules**

**Be it enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 5 MRSA §8072, sub-§7**, as amended by PL 1997, c. 196, §2, is further amended to read:

**7. Consideration by the Legislature.** No later than 30 days before statutory adjournment of the Legislature as provided in Title 3, section 2 each joint standing committee of the Legislature shall submit to the Secretary of the Senate and the Clerk of the House of Representatives the committee's report on agency rules the committee has reviewed as provided in this section. The report must include a copy of the rule or rules reviewed, the committee's recommendation concerning final adoption of the rule or rules, a statement of the reasons for a recommendation to withdraw or modify the rule or rules and draft legislation for introduction in that session that is necessary to implement the committee's recommendation. A committee may decline to include in its report recommendations covering any rules submitted to it later than ~~45 days before statutory adjournment~~ 5:00 p.m. on the 2nd Friday in January of the year in which the rules are to be considered by the committee. ~~If an adjournment date earlier than required by statute is anticipated, the Legislative Council may establish an earlier deadline for agencies to submit provisionally adopted rules for review, except that any earlier date established by the council may not be more than 75 days before statutory adjournment.~~ If, before adjournment of the session at which a rule is reviewed, the Legislature fails to act on all or part of any rule submitted to it for review in accordance with this section, an agency may proceed with final adoption and implementation of the rule or part of the rule that was not acted on.

See title page for effective date.

## CHAPTER 587

H.P. 1282 - L.D. 1842

### **An Act To Allow Certain End-of-life-care Decision-makers To Consent to Organ and Tissue Donation**

**Be it enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 22 MRSA §2902, sub-§2**, as enacted by PL 1969, c. 193, is amended to read:

**2. Others.** Any of the following persons, in order of priority stated, when persons in prior classes are not available at the time of death, and in the absence of actual notice of contrary indications by the decedent, or actual notice of opposition by a member of the same or a prior class, may give all or any part of the decedent's body for any purposes specified in section 2903:

A. The spouse;

A-1. An agent designated by a durable health care power of attorney or an advance health-care directive under Title 18-A, Article 5, Part 8;

A-2. A registered domestic partner, as defined in Title 22, section 2710;

B. An adult son or daughter;

C. Either parent;

D. An adult brother or sister;

E. A guardian of the person of the decedent at the time of his death; or

F. Any other person authorized or under obligation to dispose of the body.

See title page for effective date.

## CHAPTER 588

H.P. 1368 - L.D. 1951

### **An Act To Establish Guidelines and Criteria for Audits Conducted by the Department of Health and Human Services**

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