

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

CHAPTER 11

H.P. 365 - L.D. 481

Resolve, Directing the Department of Education To Review and Assess Distance Learning Opportunities for High School Students

Sec. 1. Review and assessment. Resolved: That the Department of Education shall review and assess distance learning opportunities for public high school students in the State. The department shall gather data on current state and local spending on and student enrollment in distance learning initiatives, including, but not limited to, the Maine Distance Learning Program, and shall consider options for optimizing the range of distance learning opportunities available to students in the State, including, but not limited to, increased support for online learning; and be it further

Sec. 2. Report. Resolved: That the department shall report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2008 with the department's findings under section 1 and any necessary implementing legislation. The Joint Standing Committee on Education and Cultural Affairs may submit legislation based on the report to the Second Regular Session of the 123rd Legislature implementing the recommendation of the department.

See title page for effective date.

CHAPTER 12

H.P. 1304 - L.D. 1871

Resolve, Authorizing Municipalities To Consolidate Voting Districts for a Special Election

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

Whereas, it is possible that a special election for bond issues may be called before the expiration of that 90-day period; and

Whereas, voter turnout is often low for a special election; and

Whereas, it is costly for municipalities to staff all voting places during an election; 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. Municipalities authorized to consolidate voting districts. Resolved: That, notwithstanding the Maine Revised Statutes, Title 21-A, section 631, a municipality may consolidate voting districts for the purpose of holding a special election on bond issues in 2007. A municipality that chooses to consolidate voting districts shall hold a public hearing on the planned consolidation. Plans to consolidate districts must be submitted to the Secretary of State at least 35 days prior to the special election.

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

Effective May 3, 2007.

CHAPTER 13

H.P. 666 - L.D. 876

Resolve, To Study Maine's Agricultural Creative Economy Sector

Sec. 1. Departments to study the value-added agricultural creative economy sector of the State's economy. Resolved: That the Department of Agriculture, Food and Rural Resources, in collaboration with the Department of Labor, Department of Economic and Community Development and Department of Conservation, shall undertake a study of the value-added agricultural creative economy sector of the State's economy. The study, which may be referred to as "the ACES study," must include consideration of:

1. The economic impact of farmers in the State expanding their businesses and diversifying their products to meet local demand for locally grown produce, meats, artisan and specialty food products, the use of shared-use kitchens and farm-to-school programs;

2. Barriers to small-scale food production that cater to the tourist trade and local demand;

3. Creation of a cabinet-level advisory board comprising representatives of the Department of Agriculture, Food and Rural Resources, Department of Labor, Department of Economic and Community Development and Department of Conservation to develop long-term strategies in agriculture and agricultural value-added businesses in all aspects of economic development;

4. Creation of positions in the Department of Agriculture, Food and Rural Resources to develop and nurture the agricultural creative economy, including

veterinarians, dairy inspectors, meat inspectors, livestock marketing specialists, home and small food processing specialists, advisors on new trends such as shared-use kitchens and farm-to-school programs and agricultural and business liaison specialists; and

5. Funding for the marketing of agricultural and food products from the State, a food policy council, a revolving loan program and training in cooperation with the University of Maine Cooperative Extension in business and food processing; and be it further

Sec. 2. Report. Resolved: That, no later than December 5, 2007, the Department of Agriculture, Food and Rural Resources shall report the findings of the ACES study to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Business, Research and Economic Development; and be it further

Sec. 3. Legislation. Resolved: That, no later than December 5, 2007, the Department of Agriculture, Food and Rural Resources shall submit legislation to the Second Regular Session of the 123rd Legislature to implement recommendations developed during the ACES study process.

See title page for effective date.

CHAPTER 14

H.P. 403 - L.D. 525

Resolve, To Stimulate Tourism Development Projects

Sec. 1. The Office of Tourism to develop a nature-based tourism program. Resolved: That the Office of Tourism shall develop within existing resources a nature-based tourism program in 3 separate areas of the State and target and coordinate its tourism development efforts in these areas so that the program will serve as a model for future tourism efforts throughout the State; and be it further

Sec. 2. Reporting date established. Resolved: That the Office of Tourism shall report on its progress in developing the nature-based tourism program to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2008.

See title page for effective date.

CHAPTER 15

H.P. 423 - L.D. 545

Resolve, To Name the Bridge on Route 201 in Jackman over the Moose River the Veterans Memorial Bridge

Sec. 1. Veterans Memorial Bridge. Resolved: That the bridge on Route 201 in the Town of Jackman crossing the Moose River be named the Veterans Memorial Bridge.

See title page for effective date.

CHAPTER 16

H.P. 535 - L.D. 704

Resolve, Regarding Legislative Review of Portions of MaineCare Benefits Manual, Chapter III, Section 97, Private Non-medical Institution Services, 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 portions of MaineCare Benefits Manual, Chapter III, section 97, Private Non-medical Institution Services, 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.