

MAINE STATE LEGISLATURE

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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

Health and Human Services shall complete the assessment and planning process for individuals who currently meet the criteria in section 1 no later than October 1, 2007; and be it further

Sec. 6. Report. Resolved: That, by November 1, 2007, the Department of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services on the progress made to implement this resolve. This report must recount the activities to date and identify any needs to be addressed. The joint standing committee is authorized to submit legislation that it determines necessary to further the intent of this resolve to the Second Regular Session of the 123rd Legislature.

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

Effective June 6, 2007.

CHAPTER 62

H.P. 1238 - L.D. 1780

Resolve, To Convene a Working Group To Review Statutory Language and Propose Standards To Ensure the Use of Respectful Language

Sec. 1. Convene working group. Resolved: That the Maine Developmental Disabilities Council, referred to in this resolve as "the council," shall convene a working group to review the terminology that is currently contained in the Maine Revised Statutes to refer to persons with disabilities. The council may propose standards to be used prospectively by the Revisor of Statutes when preparing bills that enact or amend legislative language referring to persons with disabilities. In convening the working group, the council shall invite the participation of representatives of the Maine Disability Advocacy Coalition and other interested parties. In preparing its recommendations, the working group:

1. May identify terms that it recommends be designated for substitution and may recommend replacement terms;
2. Shall ensure that any proposal for terminology changes reflects a positive approach to persons with disabilities;
3. Shall include in any proposal language that ensures that terminology changes may not be implemented if the change would alter or render ambiguous the substantive meaning of any statutory unit;

4. Shall ensure that any proposed language changes are not in conflict with or prohibited by federal requirements; and

5. May recommend that each department, bureau and agency of State Government, when adopting or amending its rules and policies and when publishing or republishing its publications, incorporate the standards proposed; and be it further

Sec. 2. Report and recommendations. Resolved: That, by November 1, 2007, the council shall report to the Joint Standing Committee on Health and Human Services the findings and recommendations of the working group, including any necessary implementing legislation; and be it further

Sec. 3. Authority for legislation. Resolved: That, after receipt and review of the report and recommendations submitted pursuant to section 2, the Joint Standing Committee on Health and Human Services may submit legislation to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

CHAPTER 63

H.P. 728 - L.D. 968

Resolve, Regarding Legislative Review of Portions of Chapter 587: In-stream Flow and Lake and Pond Water Levels, 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