

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

3. Opportunities for coordination to maximize the effects of available resources;

4. The need for state or private programs to supplement state programs or to enable existing programs to serve a greater portion of those eligible;

5. Techniques to use resources in new ways or new combinations that have the potential for easing the burden on current providers and enhancing the training of current and new providers to enable equal access to highly qualified providers to all children statewide;

6. The effects of limited resources for diagnostic testing and poor reimbursement rates; and

7. Programs and techniques that are employed in other states or countries; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the working group; and be it further

Sec. 7. Compensation. Resolved: That the legislative members of the working group are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the working group. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the working group; and be it further

Sec. 8. Report. Resolved: That, no later than December 7, 2007, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 123rd Legislature. The working group is not authorized to introduce legislation; and be it further

Sec. 9. Outside funding. Resolved: That the working group shall seek outside funding to fully fund all costs of the working group. If sufficient outside funding has not been received by the working group by October 1, 2007 to fully fund all costs of the working group, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

Sec. 10. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds for the per diem and expenses of the Working Group To Study the Effective-

ness and Timeliness of Early Identification and Intervention for Children with Hearing Loss in Maine.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$1,980	\$0
All Other	\$7,510	\$0
OTHER SPECIAL	\$9,490	\$0
REVENUE FUNDS TOTAL		

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

Effective June 27, 2007.

CHAPTER 134

H.P. 727 - L.D. 967

Resolve, Regarding Legislative Review of Chapter 007: Implementation of the Essential Programs and Services Funding Model, a Major Substantive Rule of the Department of Education

Sec. 1. Adoption. Resolved: That final adoption of Chapter 007: Implementation of the Essential Programs and Services Funding Model, a provisionally adopted major substantive rule of the Department 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 the provisionally adopted rule is amended in section 2, subsection 2.01, paragraph B, subparagraph (2), division (b) to require that the step-by-step action plan be developed in documented consultation with the local teacher associations and to require the Commissioner of Education to develop the documentation process that must be used in developing the action plan.

See title page for effective date.

CHAPTER 135

H.P. 1349 - L.D. 1916

Resolve, Establishing an Apportionment Commission To Increase the Number of Androscoggin County Commissioners

Sec. 1. Apportionment commission. Resolved: That, notwithstanding the Maine Revised Statutes, Title 30-A, section 61, the Androscoggin County commissioners may establish an apportionment commission, referred to in this resolve as "the commission," in accordance with the procedure established in the Constitution of Maine, Article IV, Part Third, Section 1-A to apportion the Androscoggin County commissioner districts to increase the number of county commissioner districts in Androscoggin County. If the Androscoggin County commissioners establish an apportionment commission, by October 1, 2009, the commission shall develop a plan with maps to increase the number of county commissioner districts from 3 to 5. The plan must include the initial terms of office for each commissioner district. The plan to increase the number of districts must designate 2 commissioners to have 2-year initial terms and 3 commissioners to have 4-year initial terms. The commission shall conduct the reapportionment according to the process established in Title 30-A, section 65, subsection 1, paragraphs A and B; and be it further

Sec. 2. County referendum. Resolved: That the Androscoggin County commissioners may submit the plan developed pursuant to section 1 to the voters of Androscoggin County at the statewide election held in November 2009. The plan must be submitted by the commission to the Clerk of the House of Representatives no later than January 15, 2010 for enactment by the Second Regular Session of the 124th Legislature; and be it further

Sec. 3. Election of county commissioners. Resolved: That the election of Androscoggin County commissioners in the reapportioned districts approved pursuant to section 2 must take place at the statewide election held in November 2010.

See title page for effective date.

CHAPTER 136

H.P. 576 - L.D. 755

Resolve, To Create the Commission To Develop a Strategic Priorities Plan for Maine's Young Children

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

Whereas, there have been reports and efforts highlighting the importance of early child care and education in Maine since the mid-1990s; and

Whereas, strong scientific evidence supports the conclusion that 90% of brain development occurs before 5 years of age; and

Whereas, the "Start ME Right," "Invest in ME Now!" and other initiatives have come before the Legislature in various bills and formats; and

Whereas, State Government faces serious fiscal challenges that require difficult choices to establish spending priorities; and

Whereas, a strategic investment plan is needed and must be initiated before the 90-day period expires in order that the plan may be completed and a report submitted in time for submission to the next legislative session; 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. Commission established. Resolved: That the Commission to Develop a Strategic Priorities Plan for Maine's Young Children, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 13 members appointed as follows:

1. Three members of the Senate including 2 members from the majority party and one member from the minority party, appointed by the President of the Senate, one of whom serves on the Joint Standing Committee on Health and Human Services, one of whom serves on the Joint Standing Committee on Taxation and one of whom serves on the Joint Standing Committee on Business, Research and Economic Development;

2. Five members of the House of Representatives, including 3 members from the majority party and 2 members from the minority party, appointed by the Speaker of the House, one of whom has significant experience working on public policy issues affecting children, one of whom serves on the Joint Standing Committee on Health and Human Services, one of whom serves on the Joint Standing Committee on Education and Cultural Affairs, one of whom serves on the Joint Standing Committee on Taxation and one of whom serves on the Joint Standing Committee on Business, Research and Economic Development;

3. One member representing a business that offers a comprehensive child care benefit and who has focused on the interaction between early care and education and economic development, appointed by the Speaker of the House;