

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

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$0	\$60,000
	\$0	\$60,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$60,000

See title page for effective date.

CHAPTER 217

H.P. 1410 - L.D. 2026

Resolve, To Reimburse School Administrative District No. 11 for the State Share of Retirement Contributions Paid in Error

Sec. 1. Reimbursement to School Administrative District No. 11 for retirement contributions paid in error. Resolved: That, notwithstanding any other provision of law, the Governor must include in the biennial budget bill for the 2010-2011 biennial budget funding in the amount of \$90,788 for the reimbursement to School Administrative District No. 11 for the State's share of retirement contributions paid by the school district in error to be offset by a reduction in the fiscal year 2009-10 appropriation for teacher retirement.

See title page for effective date.

CHAPTER 218

H.P. 1588 - L.D. 2222

Resolve, To Assist Maine's Forest Products Industry

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

Whereas, Maine is dependent on its natural resources-based economy; and

Whereas, the price of diesel fuel in Maine is at an all-time high and is devastating the Maine economy, especially with regard to the forestry and logging industry; and

Whereas, Governor John E. Baldacci has already issued a Declaration of Civil Emergency regarding the high price of diesel fuel and its impact on the State's forestry and logging industry; 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. Accelerated BETR program tax reimbursement for forestry and logging industry. Resolved: That, notwithstanding the requirement of the Maine Revised Statutes, Title 36, section 6652, subsection 1 and section 6654 that a claim for reimbursement be filed on or after August 1st and on or before December 31st, a person or a successor in interest of a person that is engaged in the forestry and logging industry against whom taxes have been assessed pursuant to Title 36, Part 2, except for chapters 111 and 112, with respect to eligible property is entitled to reimbursement pursuant to Title 36, section 6652, whether the taxes were paid by the person that was assessed or by the successor, as long as the person or successor, respectively, is the owner of the property in question as of the date a claim for reimbursement is filed for claims filed on or after February 1, 2008 and on or before July 31, 2008 for tax paid during calendar year 2007 that may be filed pursuant to Title 36, section 6654. For purposes of this section, "eligible property" has the same meaning as in Title 36, section 6651, subsection 1; and "a person that is engaged in the forestry and logging industry" means that a person's business code, pursuant to the North American Industry Classification System, is 113110, 113210 or 113310.

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

Effective April 23, 2008.

CHAPTER 219

H.P. 756 - L.D. 1038

Resolve, Directing the Department of Professional and Financial Regulation To Study the Issue of Residential Contractor Licensing

Sec. 1. Study. Resolved: That the Department of Professional and Financial Regulation shall study the issue of residential contractor licensing. The department shall include in its study a review of the various building and energy codes in existence throughout the State. The department shall report its recommendations for residential contractor licensing to the joint standing committee of the Legislature having jurisdiction over business, research and economic

development matters no later than January 4, 2010. The joint standing committee of the Legislature having jurisdiction over business, research and economic development matters may submit legislation regarding residential contractor licensing to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 220
S.P. 209 - L.D. 672

**Resolve, To Study the Scientific
Research Support Capability
of the Maine State Museum**

Sec. 1. Maine State Museum Commission to study methods for properly maintaining natural science collections. Resolved: That the Maine State Museum Commission, as established by the Maine Revised Statutes, Title 5, section 12004-G, subsection 7-C, shall conduct a study with the assistance of representatives from departments, agencies and institutions responsible for state-owned natural science collections concerning economical methods for properly maintaining such state-owned collections in the future; and be it further

Sec. 2. Reporting date established. Resolved: That the Maine State Museum Commission shall report the results of the study conducted pursuant to section 1 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by March 1, 2009. The joint standing committee is authorized to introduce legislation to the First Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 221
H.P. 1092 - L.D. 1567

**Resolve, To Continue the Work
of Preventing the Onset of
Severe Mental Illness in Youth**

Sec. 1. Review and report. Resolved: That the Department of Health and Human Services shall review the Portland Identification and Early Referral program, referred to in this section as the PIER program, and shall report by January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the PIER program and options for expanding and funding the program. The report must address training needs, program costs, prevention, savings from early intervention and maximization of federal funding. The joint standing committee of the Legislature having jurisdiction

over health and human services matters may submit legislation regarding the PIER program to the First Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 222
H.P. 1423 - L.D. 2039

**Resolve, To Protect Public
Health and Promote a Healthy
Soft-shell Clam Industry**

Sec. 1. Sale of shellstock by a harvester to a wholesale seafood license holder. Resolved: That the Commissioner of Marine Resources shall adopt routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A necessary to allow the holder of a commercial shellfish license to safely sell shellstock to a wholesale seafood license holder at locations in addition to a permanent facility. The commissioner shall report to the joint standing committee of the Legislature having jurisdiction over marine resources matters on the activities related to this section by October 15, 2008.

See title page for effective date.

CHAPTER 223
H.P. 1549 - L.D. 2175

**Resolve, To Ensure Support
for a Model of Consolidated
and Integrated Secondary and
Postsecondary Education**

Sec. 1. Model of consolidated and integrated secondary and postsecondary education. Resolved: That the Department of Education shall recommend to the State Board of Education an innovative model of consolidated and integrated secondary and postsecondary education that includes facilities for:

1. A regional high school;
2. A fully integrated career and technical high school;
3. A higher education center that will provide courses and degrees from both the University of Maine System and the Maine Community College System; and
4. Centers of excellence that will provide industry-specific training; and be it further

Sec. 2. Criteria. Resolved: That the model selected pursuant to section 1 must: