

MAINE STATE LEGISLATURE

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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

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:

1. Promote the development of a "one campus" design, where all facilities are located on one site, providing a streamlined and integrated learning experience for students of all ages;

2. Integrate and consolidate administrative responsibilities on the campus wherever possible, thereby reducing costs for overhead and shared functions;

3. Be located in a region with high schools whose consolidation would benefit future generations of students and provide reduced costs to the communities involved;

4. Have an advisory body that is integrated with the local economy, including the community involvement of students, citizens, business leaders, teachers, parents and organizations to promote both employment opportunities for students and citizens and a skilled workforce optimal for economic development; and

5. Serve as an example for other school districts and areas of the State; and be it further

Sec. 3. Emergency rules. Resolved: That, pursuant to the Maine Revised Statutes, Title 5, section 8073 and not later than October 31, 2008, the State Board of Education is authorized to adopt major substantive rules on an emergency basis to amend "Chapter 61: State Board of Education Rules for Major Capital School Construction Projects" to ensure that an innovative model as recommended pursuant to section 1 can be implemented as soon as funds are made available. The emergency rules must be based on the criteria established in sections 1 and 2. The State Board of Education shall also file provisionally adopted rules by December 31, 2008 that amend "Chapter 61: State Board of Education Rules for Major Capital School Construction Projects" to ensure that an innovative model can be implemented as soon as funds are made available; and be it further

Sec. 4. Funding for construction. Resolved: That the Department of Education shall ensure that future construction funding for the comprehensive high school and career and technical high school portions of the model recommended pursuant to section 1 is included in the next available round of new school construction funding in this State. Notwithstanding the Maine Revised Statutes, Title 20-A, section 15905, subsection 1, paragraph A-1 and not later than December 31, 2008, the Commissioner of Education shall recommend an increase in the debt ceiling effective in fiscal year 2011-12 to create a pool of available funds for the innovative model based on the criteria set forth in sections 1 and 2. Funds used for the innovative model selected pursuant to this resolve may not impact the funds that would normally be used for new school construction projects that are prioritized and selected under the current guidelines

set forth in "Chapter 61: State Board of Education Rules for Major Capital School Construction Projects"; and be it further

Sec. 5. Deadline for selection of model. Resolved: That, not later than December 31, 2008, the Department of Education shall recommend, and the State Board of Education shall select, a qualified applicant to implement the innovative model pursuant to this resolve based on the emergency rules established pursuant to section 3.

See title page for effective date.

CHAPTER 224

H.P. 1556 - L.D. 2186

Resolve, Regarding the Operations of the Greater Portland Public Development Commission

Sec. 1. Audited financial statement. Resolved: That, no later than January 15, 2009, the Greater Portland Public Development Commission, referred to in this resolve as "the commission," shall prepare, or cause to be prepared, an audited financial statement for the commission and shall submit a copy of the audited financial statement to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters; and be it further

Sec. 2. Report. Resolved: That, after receipt and review of the audited financial statement submitted pursuant to section 1, the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters may report out a bill regarding the operations of the commission to the First Regular Session of the 124th Legislature; and be it further

Sec. 3. Funds. Resolved: That, pending final disposition of any legislation pursuant to section 2, the commission may not expend any funds other than those funds necessary for minimal operating expenses; and be it further

Sec. 4. Liabilities. Resolved: That, pending final disposition of any legislation pursuant to section 2, the commission may not incur any additional liabilities or obligations; and be it further

Sec. 5. Business activity. Resolved: That, pending final disposition of any legislation pursuant to section 2, the commission shall cease all new business activity.

See title page for effective date.
