

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

CHAPTER 15
H.P. 102 - L.D. 117

**Resolve, To Facilitate the
Creation of a Memorial for the
Families and Friends of
Children Who Have Died by
Violence**

Sec. 1. Memorial for the families and friends of children who have died by violence.

Resolved: That the Capitol Planning Commission shall construct and maintain, in accordance with the Maine Revised Statutes, Title 5, chapter 14-A, a memorial for the families and friends of children who have died by violence; and be it further

Sec. 2. Memorial design. Resolved: That the Capitol Planning Commission may request assistance and advice in the design of the memorial from a nonprofit organization whose purpose is to support parents of murdered children; and be it further

Sec. 3. Memorial location. Resolved: That the Capitol Planning Commission shall locate the memorial within the proposed memorial park within the East Campus Zone as described in the Capitol Planning Commission rules, chapter 1; and be it further

Sec. 4. Funding assistance. Resolved: That the Capitol Planning Commission may accept state and local funds, gifts and other contributions to be used solely to carry out the provisions of this resolve. No General Fund money may be used for the construction of the memorial. If sufficient outside funding has not been received by June 30, 2010 to fully fund the costs of any meetings and the design, construction, installation and maintenance of the memorial, the memorial is not authorized; and be it further

Sec. 5. Account established. Resolved: That the Director of the Bureau of General Services within the Department of Administrative and Financial Services shall establish an account to administer state and local funds, gifts and other contributions under section 4 pursuant to the Maine Revised Statutes, Title 5, chapter 153 or as otherwise approved by the Director of the Bureau of General Services.

See title page for effective date.

CHAPTER 16
S.P. 163 - L.D. 460

**Resolve, To Evaluate Climate
Change Adaptation Options
for the State**

Sec. 1. Creation of stakeholder group; membership. Resolved: That the Department of

Environmental Protection, referred to in this resolve as "the department," shall establish and convene a stakeholder group to evaluate the options and actions available to Maine people and businesses to prepare for and adapt to the most likely impacts of climate change. Convening this group to respond to climate change must not reduce continued strong state efforts to reduce greenhouse gas emissions. The department shall include in its stakeholder group and the evaluation process performed under section 2:

1. Representatives of business, industry and trade associations;
2. Representatives of nongovernmental organizations; and
3. State agencies with a current interest in these concerns and likely involvement in the implementation of recommendations.

The department must ensure that a balance of interests is represented in decision making. The department may ask the University of Maine and other higher education institutions to provide scientific and technical expertise to the stakeholder group; and be it further

Sec. 2. Evaluation. Resolved: That the department shall build upon the 2009 climate impact assessment by the University of Maine in evaluating the options available to Maine people and businesses for adapting to the likely environmental effects of climate change. That assessment concluded that climate change is already occurring in this State as a result of increased levels of greenhouse gases in the atmosphere and that, even with the greenhouse gas reduction goals set forth in the Maine Revised Statutes, Title 38, section 576, more thorough planning is necessary to identify and implement the State's responses to climate change in the areas of:

1. Ensuring sustainable opportunities for the development of greenhouse gas offset projects and low-greenhouse gas emission technologies and processes in the various sectors of Maine's economy;
2. Built infrastructure, including coastal and inland flooding effects on roads and facilities, heat effects in urban centers and beach scouring;
3. Habitat and fish and wildlife species, including the effects of invasive species, a lack of adequate conservation areas, a lack of connectivity between habitat and wildlife and inadequate wetlands protection;
4. Marine ecosystems;
5. Forests and forest management practices, including a higher incidence of pests and fires and a lack of biomass availability;
6. Agricultural and farming practices;

7. Human health, including increases in heat-related and vector-borne diseases;

8. Water supplies and drinking water; and

9. Emergency response systems and planning; and be it further

Sec. 3. Report. Resolved: That by February 27, 2010 the department shall report recommendations related to the evaluation under this resolve, along with any necessary implementing legislation, to the Joint Standing Committee on Natural Resources. The recommendations must be organized by the affected natural resource and economic sectors and may include proposals for legislation, modifications to existing rules and specific initiatives for one or more agencies to undertake in collaboration with stakeholder organizations to implement the recommendations. The Joint Standing Committee on Natural Resources is authorized to submit legislation related to the report to the Second Regular Session of the 124th Legislature; and be it further

Sec. 4. Funding of report. Resolved: That the department is authorized to accept public and private funds for the costs incurred to prepare the report under section 3. All funds received for these purposes must be deposited into the Maine Environmental Protection Fund established in the Maine Revised Statutes, Title 38, section 351 and must be used exclusively for purposes related to the preparation of this report.

See title page for effective date.

CHAPTER 17

H.P. 579 - L.D. 843

Resolve, To Designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge

Sec. 1. Bridge renamed. Resolved: That the Department of Transportation shall designate the Great South Bridge over the Narraguagus River, located 0.30 of a mile northeasterly of Route 1 on Route 1-A in the Town of Milbridge, as the Harold West Bridge in honor of town citizen Harold West's more than 50 years of service to the town.

See title page for effective date.

CHAPTER 18

SP. 151 - L.D. 407

Resolve, To Identify Funding Available To Promote the Use of Energy-efficient Furnaces

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to be in effect for the current heating season; 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. Public Utilities Commission to identify funding available to promote the use of energy-efficient furnaces. Resolved: That the Public Utilities Commission shall identify funding sources available to the State and strategies to use such funding to promote the use of energy-efficient furnaces, particularly among low-income residents.

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

Effective April 30, 2009.

CHAPTER 19

H.P. 271 - L.D. 335

Resolve, Regarding Legislative Review of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a Major Substantive Rule of the Energy and Carbon Savings Trust

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