

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

bill to implement the recommendations to the Second Regular Session of the 124th Legislature.

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

Effective March 1, 2010.

CHAPTER 153

S.P. 262 - L.D. 687

Resolve, To Direct the Department of Conservation To Seek To Acquire Public Access to the Dead River

Sec. 1. Access to the Dead River; direction to the Department of Conservation. Resolved: That the Department of Conservation shall seek to acquire a public right-of-way approximately 16 miles in length along the Lower Enchanted Road, from Route 201 in West Forks Plantation westward to and including an area commonly used for vehicle parking, trip staging and watercraft access to the Dead River near its confluence with Spencer Stream.

The Department of Conservation shall exhaustively pursue all opportunities to acquire the public right-of-way through participating in any process by which public access via easements or fee acquisitions might reasonably be solicited and obtained; and be it further

Sec. 2. No obligation to maintain. Resolved: That the Department of Conservation may assume but is not required to assume any obligation to improve or maintain the right-of-way at public expense; and be it further

Sec. 3. Request for funds. Resolved: That the Department of Conservation shall seek public and private funds to acquire public access to the Dead River via easements or fee acquisitions; and be it further

Sec. 4. Report. Resolved: That the Department of Conservation shall report to the joint standing committee of the Legislature having jurisdiction over conservation matters no later than January 10, 2011 on the status of negotiations for access to the Dead River; and be it further

Sec. 5. Bill authorized. Resolved: That the joint standing committee of the Legislature having jurisdiction over conservation matters may submit a bill relating to public access to the Dead River to the First Regular Session of the 125th Legislature.

See title page for effective date.

CHAPTER 154

H.P. 1100 - L.D. 1563

Resolve, To Develop Model Academic Year Calendars

Sec. 1. Model academic year calendars. Resolved: That the Commissioner of Education shall establish a working group of kindergarten-to-grade-12 school officials, primarily superintendents and career and technical education directors, to prepare draft model academic year calendars that account for regional differences within the State to be submitted to the joint standing committee of the Legislature having jurisdiction over education matters by February 1, 2011. The working group may seek input from other stakeholders as it determines appropriate and shall present recommendations to the Commissioner of Education as to how to present the model academic year calendars for statewide review; and be it further

Sec. 2. Authorization to submit legislation. Resolved: That the joint standing committee of the Legislature having jurisdiction over education matters is authorized to submit a bill to the First Regular Session of the 125th Legislature to implement the findings of the working group under section 1.

See title page for effective date.

CHAPTER 155

H.P. 1067 - L.D. 1517

Resolve, Regarding Legislative Review of Portions of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission

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