

# 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.**

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**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.

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## 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.

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## 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.

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## 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

legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 26: Producer Margins, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources, Maine Milk Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is not authorized.

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

Effective March 5, 2010.

**CHAPTER 156**

**S.P. 614 - L.D. 1649**

**Resolve, To Increase the Financial Stability of Low-income Families in Maine**

**Sec. 1. Working group established. Resolved:** That the Superintendent of Financial Institutions shall establish, within existing budgeted resources, a working group, to be known as "the Bank on ME working group," which may be composed of municipal officials and representatives of state and federal financial institutions, credit unions, community organizations and state agencies to develop and implement collaborative voluntary initiatives that increase the financial stability of low-income families in the State by increasing awareness of and access to basic financial services. The Bank on ME working group may:

1. Develop and market starter banking accounts with features that would benefit low-income families;
2. Educate low-income families without bank accounts about the benefits of account ownership and encourage those families to open bank accounts;
3. Educate and assist low-income families with basic money management skills; and
4. Create coalitions of financial institutions, financial regulators, municipal officials and nonprofit corporations to market starter banking accounts to low-income families; and be it further

**Sec. 2. Report. Resolved:** That the Superintendent of Financial Institutions shall submit a report to the joint standing committee of the Legislature having jurisdiction over banking and financial matters by November 3, 2010. The report must include a summary of the initiatives implemented by the Bank on ME working group established pursuant to section 1

and may recommend to the committee any changes to existing law that are necessary to implement the initiatives supported by the Bank on ME working group.

See title page for effective date.

**CHAPTER 157**

**H.P. 1245 - L.D. 1751**

**Resolve, Regarding Legislative Review of the Repeal of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education**

**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, amended, suspended or repealed by the agency; and

**Whereas,** the final repeal of 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 the final repeal 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 legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Repeal. Resolved:** That final repeal of Chapter 182: Formula for Distribution of Funds to Child Development Services Regional Sites, a provisionally repealed 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.

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

Effective March 8, 2010.