

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

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**Augusta, Maine**  
**2011**

tion of the public peace, health and safety; now, therefore, be it

**Sec. 1. Commissioner of Professional and Financial Regulation to convene a working group to review the laws and rules governing boilers. Resolved:** That the Commissioner of Professional and Financial Regulation shall convene a working group with the Board of Boilers and Pressure Vessels as well as other interested parties to review the current lack of uniformity in the laws and rules governing boilers, to develop recommendations to resolve conflicts and improve the regulation of boilers and to consider options for expanding inspections of boilers located in public places; and be it further

**Sec. 2. Reporting date established. Resolved:** That no later than January 15, 2012 the Commissioner of Professional and Financial Regulation shall submit a report of the findings and recommendations of the working group under section 1 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. That committee is authorized to introduce a bill on the subject matter of the report to the Second Regular Session of the 125th Legislature.

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

Effective May 23, 2011.

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**CHAPTER 46**

**S.P. 266 - L.D. 862**

**Resolve, Directing the Department of Environmental Protection To Amend Its Rules Governing the Length of Time Certain Permits Are Valid**

**Sec. 1. Department of Environmental Protection to amend rules. Resolved:** That the Department of Environmental Protection shall amend its rules relating to the Natural Resources Protection Act and the laws governing site location of development and storm water to provide that permits issued with respect to these laws are valid for 4 years after they are issued and that a person who holds such a permit has 7 years to complete a project pursuant to such a permit.

See title page for effective date.

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**CHAPTER 47**

**H.P. 546 - L.D. 715**

**Resolve, To Ensure That Maine Teachers and Paraprofessionals Who Work with Children with Autism Spectrum Disorders Are Appropriately and Adequately Prepared**

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

**Whereas,** it is vital to ensure children with autism spectrum disorders in our schools achieve the best educational outcomes possible; and

**Whereas,** it is necessary to ensure as soon as practicable that teachers of children with autism spectrum disorders are appropriately and adequately prepared; and

**Whereas,** this legislation provides a means to ensure teachers of children with autism spectrum disorders are appropriately and adequately prepared; 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. The State Board of Education and the Department of Education to study teachers and paraprofessionals who work with children with autism spectrum disorders. Resolved:** That the State Board of Education and the Department of Education shall conduct a study to ensure that teachers and paraprofessionals who work with children with autism spectrum disorders are appropriately and adequately prepared. The department shall convene a work group with broad stakeholder representation. The purpose of the work group is to analyze the qualifications of teachers and paraprofessionals who work with children with autism spectrum disorders and to make recommendations that will assist the department in ensuring that the teachers and paraprofessionals are appropriately and adequately prepared. The work group shall:

1. Examine and recommend the minimum level of competencies that regular educators, special educators and paraprofessionals need to provide educational services to students with autism spectrum disorders;
2. Examine and recommend specific standards for paraprofessional supervision, including, but not lim-

ited to, daily progress monitoring, problem solving and philosophy;

3. Examine and recommend strategies for the implementation of a paraprofessional structure, including basic education technician I, II and III standards; and

4. Define a designation for a paraprofessional to be considered appropriately and adequately prepared to provide special education services; and be it further

**Sec. 2. Report. Resolved:** That the work group under section 1 shall submit its recommendations to the State Board of Education and the Department of Education by November 1, 2011. The State Board of Education and the department shall submit a report, including the findings and recommendations from the work group, to the Joint Standing Committee on Education and Cultural Affairs by December 7, 2011, and the Joint Standing Committee on Education and Cultural Affairs is authorized to introduce legislation to the Second Regular Session of the 125th Legislature.

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

Effective May 23, 2011.

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**CHAPTER 48**  
**H.P. 91 - L.D. 109**

**Resolve, To Study the  
Promotion and Expansion  
of the Maine Maple  
Sugar 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,** strengthening the branding of Maine maple sugar products has the potential to create value-added jobs in the natural resources sector and expand export markets for Maine maple sugar products; and

**Whereas,** convening a task force of maple sugar producers and other stakeholders is a first step in advancing this goal; and

**Whereas,** the end of the maple sugar production season is an optimal time to bring stakeholders together; 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. Task force. Resolved:** That the Commissioner of Agriculture, Food and Rural Resources, referred to in this resolve as "the commissioner," shall convene a task force to study the promotion and expansion of the Maine maple sugar industry. The commissioner shall invite representatives from each of the following to participate in the task force:

1. A statewide association of producers of Maine maple sugar products;

2. A regional association of producers of maple sugar products in southern Maine;

3. An association of producers of maple sugar products in Somerset County;

4. A producer of maple sugar products in Aroostook County;

5. A producer of maple sugar products with more than 5,000 taps;

6. A producer of maple sugar products with 1,000 or fewer taps;

7. A statewide organization of small woodlot owners;

8. A statewide organization representing the forest products industry;

9. The University of Maine Cooperative Extension; and

10. A statewide farming association with a committee actively involved with maple sugar production; and be it further

**Sec. 2. Chair; convening of initial meeting. Resolved:** That the commissioner shall designate a person to serve as chair of the task force and shall convene the initial meeting no later than 30 days following the effective date of this resolve; and be it further

**Sec. 3. Duties. Resolved:** That the task force shall examine with reference to the Maine maple sugar industry:

1. The potential for expanding both the harvesting and processing of maple sap for sugar;

2. Obstacles to expanded production;

3. Opportunities for enhancing a Maine maple brand;

4. The potential for expanding value-added processing and the economic impact of expansion;

5. The potential for expanding export marketing and the economic impact of expansion;

6. Structures or network associations that could increase sustainable production;