

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.

Augusta, Maine
2011

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.

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;

7. Potential competitive or collaborative opportunities with North America's largest producer, Quebec, Canada; and

8. Investments or actions that could be taken by the State that would produce a tangible economic return.

In conducting its examination, the task force shall review models that have been successfully employed to promote other Maine food product industries, including marine products and agricultural products such as potatoes and blueberries; and be it further

Sec. 4. Meetings. Resolved: That the chair, in consultation with the commissioner, shall schedule meetings of the task force as necessary to complete the task force's assigned duties. The commissioner shall notify members of the Joint Standing Committee on Agriculture, Conservation and Forestry and other Legislators with a known interest in the maple sugar industry of all meetings of the task force; and be it further

Sec. 5. Staffing and funding. Resolved: That the Department of Agriculture, Food and Rural Resources shall provide staff support to the task force from existing resources. The commissioner may use contributions of money, services and supplies accepted under existing authority to support the work of the task force; and be it further

Sec. 6. Agency cooperation. Resolved: That the commissioner, the Commissioner of Conservation, the Commissioner of Economic and Community Development and the Chief Executive Officer of the Finance Authority of Maine shall each designate a representative from their respective agencies to serve as a resource to the task force, respond to information requests and attend task force meetings upon request; and be it further

Sec. 7. Final report. Resolved: That, no later than December 7, 2011, the commissioner shall submit a report that includes the findings and recommendations of the task force, including suggested legislation to implement the recommendations, for presentation to Joint Standing Committee on Agriculture, Conservation and Forestry; and be it further

Sec. 8. Authority to submit legislation. Resolved: That the Joint Standing Committee on Agriculture, Conservation and Forestry may submit a bill pertaining to the Maine maple sugar industry 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 25, 2011.

CHAPTER 49 H.P. 20 - L.D. 28

Resolve, To Improve Access to Employment Opportunities for Persons with Intellectual Disabilities and Autistic Disorders

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 Department of Health and Human Services amended the MaineCare Benefits Manual to limit the number of persons with intellectual disabilities and autistic disorders who may work at any given work site or location; and

Whereas, that amendment took effect July 1, 2010; and

Whereas, persons with intellectual disabilities and autistic disorders have been limited as to where they may work since July 1, 2010; and

Whereas, it is imperative that this resolve take effect immediately so that persons with intellectual disabilities and autistic disorders may return to work as soon as possible; 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. MaineCare Benefits Manual. Resolved: That, notwithstanding the requirements of the Maine Revised Statutes, Title 5, section 8054 regarding findings of an agency, the Department of Health and Human Services shall amend on an emergency basis the MaineCare Benefits Manual to remove the language that restricts the number of persons with intellectual disabilities and autistic disorders who may work at any given work site or location to 50% of a business's workforce at that work site or location. Following the expiration of the emergency period specified in Title 5, section 8054, subsection 3, the department shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to implement the provisions of this section.

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

Effective May 25, 2011.