

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

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

Effective February 21, 2012.

CHAPTER 116

S.P. 206 - L.D. 675

Resolve, To Create a Working Group To Study Multidistrict Online Learning Options in Maine

Sec. 1. Department of Education to create working group. Resolved: That the Department of Education shall create a working group to study the opportunities and challenges presented by establishing multidistrict online learning options for students enrolled in kindergarten to grade 12 public schools in the State. The working group shall evaluate the implementation of existing online learning programs in the State and in other jurisdictions, including programs featuring a blended learning approach that combines face-to-face classroom methods with computer-mediated activities to form an integrated instructional approach. The working group shall also consider online learning options that are learner-centered, that focus on content that is consistent with state learning standards under the Maine Revised Statutes, Title 20-A, section 6209 and that provide equitable educational opportunity for all students; and be it further

Sec. 2. Working group; report. Resolved: That the working group under section 1 must include teachers, administrators, parents, information technology specialists and other persons, groups or entities that have an interest in online learning. The Commissioner of Education shall invite to serve as members of the working group representatives of the following educational associations who are appointed by their respective associations:

1. The Maine Education Association;
2. The Maine Principals' Association;
3. The Maine School Boards Association;
4. The Maine School Superintendents Association;
5. The Association of Computer Technology Educators of Maine;
6. The Maine Parent Teacher Association; and
7. The Maine Administrators of Services for Children with Disabilities.

By January 4, 2013, the Department of Education shall report the findings of the working group along with any suggested legislation to the joint standing

committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may submit a bill regarding the subject of the report to the First Regular Session of the 126th Legislature; and be it further

Sec. 3. Funding. Resolved: That the costs to the Department of Education to create the working group and to conduct the study required pursuant to section 1 must be absorbed within existing budgeted resources and through the use of federal and private funds received by the department to carry out the purposes of this resolve.

See title page for effective date.

CHAPTER 117

H.P. 1198 - L.D. 1593

Resolve, To Name Route 1-A between Brewer and Ellsworth the Korean War Veterans Memorial Highway

Sec. 1. Name United States Route 1-A the Korean War Veterans Memorial Highway. Resolved: That the Department of Transportation shall name the portion of United States Route 1-A that runs between the City of Brewer and the City of Ellsworth the Korean War Veterans Memorial Highway, to honor all United States Armed Forces veterans of the Korean War; and be it further

Sec. 2. Signs erected. Resolved: That the Department of Transportation shall erect appropriate signs along the portion of United States Route 1-A between the City of Brewer and the City of Ellsworth to identify that portion as the Korean War Veterans Memorial Highway.

See title page for effective date.

CHAPTER 118

H.P. 1281 - L.D. 1734

Resolve, Regarding Legislative Review of Portions of Chapter 41: Special Restrictions on Pesticide Use, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control

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 41: Special Restrictions on Pesticide Use, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control 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 5, 2012.

CHAPTER 119

H.P. 1209 - L.D. 1601

Resolve, To Amend the Resolve Establishing the Task Force on Franco-Americans

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 Task Force on Franco-Americans was established by Resolve 2011, chapter 102 to find ways to promote and preserve the Franco-American heritage that is shared by a great number of Maine citizens; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be convened and completed and a report prepared in time for submission to the next legislative session; 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. Resolve 2011, c. 102, §4, amended. Resolved: That Resolve 2011, c. 102, §4 is amended to read:

Sec. 4. Appointments; convening of task force. Resolved: That ~~all appointments must be made no later than 30 days following the effective date of this resolve. The~~ the appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. The chairs may call and convene the first meeting of the task force during the Second Regular Session or any subsequent special session of the 125th Legislature. If 30 days or more after the ~~effective date of this resolve~~ adjournment of the Second Regular Session or any subsequent special session of the 125th Legislature a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business; and be it further

; and be it further

Sec. 2. Resolve 2011, c. 102, §6, amended. Resolved: That Resolve 2011, c. 102, §6 is amended to read:

Sec. 6. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the task force, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session. The Franco-American Center at the University of Maine shall provide necessary staffing services to the task force when the Legislature is in regular or special session; and be it further

; and be it further

Sec. 3. Resolve 2011, c. 102, §7, amended. Resolved: That Resolve 2011, c. 102, §7 is amended to read:

Sec. 7. Report. Resolved: That, ~~no later than December 7, 2011, the task force shall provide a preliminary report with draft recommendations to the Second Regular Session of the 125th Legislature. The notwithstanding Joint Rule 353, the~~ final report, including findings and recommendations, must be submitted to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by ~~November 7~~ December 15, 2012. That joint standing committee is authorized to introduce a bill to the First Regular Session of the 126th Legislature related to the subject matter of the report; and be it further