

# 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.**

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**Augusta, Maine**  
**2012**

dustry 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 Department of Conservation, Bureau of Forestry and Bureau of Parks and Lands shall provide staff from existing resources to assist in discussions relating to landowner education, forest management and leasing land for maple sugar production. The commissioner and the Commissioner of Conservation 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 4, 2013, 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 the joint standing committee of the Legislature having jurisdiction over agriculture matters; and be it further

**Sec. 8. Authority to submit legislation. Resolved:** That the joint standing committee of the Legislature having jurisdiction over agriculture matters may submit legislation pertaining to the Maine maple sugar industry to the Second Regular Session of the 126th Legislature.

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

Effective March 18, 2012.

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**CHAPTER 133**

**H.P. 176 - L.D. 199**

**Resolve, Directing the Secretary of State To Study Voter Participation and Registration and the Conduct of Elections in the State**

**Sec. 1. Report on voter participation, the registration of voters and the conduct of elections. Resolved:** That the Secretary of State shall conduct a study of voter participation, the current system for registering voters and the conduct of elections

in the State. The Secretary of State shall report the findings of the study and any suggested legislation recommended for introduction to the First Regular Session of the 126th Legislature to the joint standing committee of the Legislature having jurisdiction over elections matters no later than February 1, 2013.

See title page for effective date.

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**CHAPTER 134**

**H.P. 1273 - L.D. 1724**

**Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of 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 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 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted 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 only if the following changes are made:

1. The rule must be amended in Section II to replace the definition of pre-referral procedures with language defining general education intervention;

2. The rule must be amended in Section V, subsection 6, paragraph F so that the educational observations are not described as unrestricted;