

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 April 23, 2012.

CHAPTER 162

H.P. 1257 - L.D. 1705

Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children

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 the Prevention of Sexual Abuse of Children is established to create and adopt a policy addressing sexual abuse of children; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted 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. Task force established. Resolved: That the Task Force on the Prevention of Sexual Abuse of Children, referred to in this resolve as "the task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of 13 members appointed as follows:

1. Two members of the Senate, appointed by the President of the Senate;
2. A representative of an organization representing law enforcement, appointed by the President of the Senate;
3. A representative of a statewide professional teachers organization, appointed by the President of the Senate;
4. Two members of the House of Representatives, appointed by the Speaker of the House;
5. A representative of a sexual assault crisis and support center involved in the prevention of child sexual abuse, appointed by the Speaker of the House;
6. A person who is a victim of sexual abuse, appointed by the Speaker of the House;

7. A representative of an organization representing school management, appointed by the Speaker of the House;

8. A representative of a statewide coalition against sexual assault, appointed by the President of the Senate;

9. The Commissioner of Education, or the commissioner's designee;

10. The Commissioner of Health and Human Services, or the commissioner's designee; and

11. A representative of a community-based youth-serving organization, appointed by the President of the Senate; and be it further

Sec. 3. Compensation. Resolved: That, notwithstanding Joint Rule 353, public members of the task force are not entitled to reimbursement for their expenses; and be it further

Sec. 4. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

Sec. 5. 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 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. If 30 days or more after the effective date of this resolve 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

Sec. 6. Duties. Resolved: That the task force shall make recommendations for preventing child sexual abuse. In making those recommendations, the task force shall:

1. Gather information concerning child sexual abuse throughout the State;
2. Receive reports and testimony from individuals, state and local agencies, community-based organizations and other public and private organizations; and
3. Recommend policies to prevent and address sexual abuse of children, including age-appropriate curricula for students in prekindergarten to grade 5; methods for increasing teacher, student and parent awareness of issues regarding sexual abuse of children, including warning signs indicating that a child may be a victim of sexual abuse; actions that a child who is a victim of sexual abuse may take to obtain assistance and intervention; and available counseling options for children affected by sexual abuse; and be it further

Sec. 7. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services to the task force; and be it further

Sec. 8. Report. Resolved: That, no later than November 7, 2012, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters. 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.

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

Effective May 21, 2012.

CHAPTER 163

H.P. 1385 - L.D. 1871

Resolve, Creating an Honorable Service Plaque To Honor Maine Veterans

Sec. 1. Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to develop Maine Honorable Service Plaque. Resolved: That the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall create a plaque to be displayed in the Hall of Flags in the State House to honor veterans of the State who have participated in military campaigns and operations and who are not honored by existing plaques. The design of the plaque must be based upon the design of the State of Maine Gold Star Honorable Service Medal; and be it further

Sec. 2. Funding. Resolved: That the Director of the Bureau of Maine Veterans' Services may accept outside sources of funding to contract for the design and construction of the plaque pursuant to section 1. The director shall provide prompt notice of solicitation and acceptance of funds to the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of the funds. The Executive Director of the Legislative Council shall administer any funds received; and be it further

Sec. 3. Report; final authorization. Resolved: That the Director of the Bureau of Maine Veterans' Services shall submit a report regarding the

proposed design and location of the plaque pursuant to section 1 to the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs and the Legislative Council through the office of the Executive Director of the Legislative Council when all necessary funds are raised. The final authorization for the placement of the plaque in the State House Hall of Flags must be made by the Legislative Council; and be it further

Sec. 4. Transfer of funds; Department of Defense, Veterans and Emergency Management. Resolved: That, notwithstanding any other provision of law, on or before August 15, 2012 the State Controller shall transfer \$13,000 from the Veterans Services program, General Fund account within the Department of Defense, Veterans and Emergency Management to the State House and Capitol Park Commission program, Other Special Revenue Funds account within the Legislature for the design and construction of a plaque pursuant to section 1; and be it further

Sec. 5. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

State House and Capitol Park Commission 0615

Initiative: Provides an allocation to contract for the design and construction of a plaque to honor veterans of the State.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	\$13,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$13,000

See title page for effective date.

CHAPTER 164

S.P. 659 - L.D. 1882

Resolve, Directing the Committee on Veterans and Legal Affairs To Develop Legislation Establishing a Presidential Primary

Sec. 1. Committee to meet. Resolved: That, by October 15, 2012 but no sooner than July 1, 2012, the Joint Standing Committee on Veterans and Legal Affairs shall hold a meeting to consider options for legislation to establish a presidential primary in the State. The committee may work with the Secretary of