

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

not lapse and are carried forward to the next fiscal year to carry out the purposes of this section.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Science, Technology, Engineering and Mathematics
Council N144**

Initiative: Provides one-time funds to the Science, Technology, Engineering and Mathematics Council to carry out the duties of the council and to establish the office of executive director to provide leadership and management expertise that will assist the council in achieving its goals.

GENERAL FUND	2013-14	2014-15
All Other	\$5,000	\$22,000
GENERAL FUND TOTAL	\$5,000	\$22,000

See title page for effective date.

**CHAPTER 411
H.P. 761 - L.D. 1068**

**An Act To Prevent the
Reduction in Adoption Subsidy
after an Agreement Has Been
Signed by the Prospective
Adoptive Parents and the
Department of Health and
Human Services**

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

Whereas, adoption assistance payments from the Department of Health and Human Services to prospective adoptive parents are essential to those parents' providing the necessary care and support of the adopted child; and

Whereas, when the Department of Health and Human Services reduces adoption assistance payment amounts after they have been agreed upon by the department and prospective adoptive parents it imposes an economic hardship on the parents and threatens their ability to provide proper care for the child; 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 preserva-

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

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 18-A MRSA §9-403, sub-§(a), as enacted by PL 1995, c. 694, Pt. C, §7 and affected by Pt. E, §2, is amended to read:

(a). A written agreement between the family entering into the program and the department must precede the final decree of adoption, except that an application may be filed subsequent to the finalization of the adoption if there were facts relevant to the child's eligibility that were not presented at the time of the request for assistance or if the child was eligible for participation in the program at the time of placement and the adoptive parents were not apprised of the program.

Except as provided by section 9-401, subsection (h), once an adoption assistance payment is agreed upon and the agreement signed by the prospective adoptive parents, the department may not reduce the adoption assistance payment amounts.

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

Effective July 10, 2013.

**CHAPTER 412
S.P. 26 - L.D. 59**

**An Act Relating to the
Unlawful Cutting of Trees**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §8869-A is enacted to read:

§8869-A. Prior division approval for harvesting trees and authority to issue stop-work orders

The division shall establish a prior approval process for harvesting trees by a person that has committed 2 violations of unlawful cutting of trees pursuant to Title 17, section 2510, subsection 1. The process must include at a minimum the following:

1. Written approval. Requiring written approval from the division for the person to harvest trees on any land in the State; and

2. Bonding. Requiring the person to post a private bond in an amount not less than \$500,000 before commencing tree harvesting.