

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

by the review committee must include, but is not limited to:

1. A reexamination of the parameters established by the department in its analysis conducted pursuant to section 1;
2. An assessment of the costs and benefits of the unfunded or underfunded education mandates identified by the department;
3. An analysis of whether the mandates established education initiatives that contributed to the improvement of student performance and academic success or the prevention of dropouts, as defined in the Maine Revised Statutes, Title 20-A, section 5102, and juvenile delinquencies; and
4. A review of alternative funding mechanisms or solutions proposed or adopted in other states and jurisdictions to address the adverse effect of unfunded education mandates on public school systems.

The review committee shall amend the list identified by the department in section 1 and shall establish, by consensus, a list of priority recommendations regarding the unfunded or underfunded education mandates, regulatory burdens and other education requirements that should be repealed or amended by the Legislature; and be it further

Sec. 4. Review committee; report. Resolved: That the Commissioner of Education shall report the findings and conclusions of the review committee, including any proposed legislation to address the review committee's recommendations, to the Joint Standing Committee on Education and Cultural Affairs by January 10, 2014. The joint standing committee is authorized to submit a bill related to the report 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 July 3, 2013.

**CHAPTER 75
S.P. 607 - L.D. 1564**

**Resolve, Approving the 2013
Draft and Arrangement of the
Constitution of Maine Made by
the Chief Justice of the
Supreme Judicial Court and
Providing for Its Publication
and Distribution**

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 2013 recodification of the Constitution of Maine has been completed by the Chief Justice of the Supreme Judicial Court and submitted to the Legislature; and

Whereas, the recodification must be made available to the public as soon as possible and before the expiration of the 90-day period; 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. Constitution; approval of 2013 draft and arrangement, enrollment, distribution. Resolved: That the draft and arrangement of the Constitution of Maine, as amended, made by the Chief Justice of the Supreme Judicial Court, pursuant to the Constitution of Maine, Article X, Section 6, is approved and that the same be enrolled on parchment or other suitable material and deposited in the office of the Secretary of State; and be it further

Sec. 2. Enrollment on durable material. Resolved: That the Secretary of State is authorized and directed to cause the Constitution of Maine, as amended and arranged, to be enrolled on parchment or other suitable material and upon final approval of the Chief Justice of the Supreme Judicial Court to attest to the correctness of that enrollment under the seal of the State; and be it further

Sec. 3. Publication. Resolved: That the Secretary of State is authorized and directed to cause to be published in pamphlet form, subject to the approval of the Chief Justice of the Supreme Judicial Court, copies of the Constitution of Maine in such numbers as the Secretary of State determines necessary and that one copy of the pamphlet be forwarded to the municipal officers of each city and town and to the assessors of each plantation within the State.

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

Effective June 18, 2013.

**CHAPTER 76
H.P. 629 - L.D. 905**

**Resolve, Directing the
Department of Education To
Examine School Security**

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

Whereas, it is crucial to school safety to ensure the Department of Education has sufficient time to collect information and develop recommendations regarding school security by January 15, 2014; 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. Department of Education to examine school security. Resolved: That the Department of Education shall gather information from school administrative units regarding the preparedness of schools to implement required emergency management plans and the present condition of school facilities in terms of facility security in the event of an emergency. The department, based on the information collected and in consultation with appropriate security experts, shall evaluate school preparedness and facility security and shall develop recommendations for prudent measures that may be taken to improve preparedness and facility security. The department shall report its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2014. The department shall ensure that information collected or compiled relating to security plans, security procedures and risk assessments is protected from public disclosure in accordance with the Maine Revised Statutes, Title 1, section 402, subsection 3, paragraph L and is presented in its report in a manner that allows for assessment of deficiencies without revealing any information that could jeopardize the security of schools. The Joint Standing Committee on Education and Cultural Affairs may report out a bill relating to the subject matter of the report to the Second Regular Session of the 126th Legislature; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
School Finance and Operations Z078**

Initiative: Provides one-time funds for the costs associated with contracting with security experts to evaluate school preparedness and facility security.

GENERAL FUND	2013-14	2014-15
All Other	\$49,750	\$0
<hr style="width: 50%; margin-left: 0;"/>		
GENERAL FUND TOTAL	\$49,750	\$0

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

Effective July 10, 2013.

**CHAPTER 77
H.P. 1143 - L.D. 1574**

**Resolve, Establishing the
Commission To Study the
Incidence of and Mortality
Related to Cancer**

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to allow this commission sufficient time to conduct its work; 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. Commission established. Resolved: That the Commission To Study the Incidence of and Mortality Related to Cancer, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of no more than 11 members as follows:

1. The President of the Senate shall appoint:
 - A. Two members of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature. The President of the Senate shall give preference in making one of the appointments to a member who serves on the Joint Standing Committee on Health and Human Services; and
 - B. One person representing a statewide public health organization;

2. The Speaker of the House of Representatives shall appoint:

- A. Three members of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature. The Speaker of the House shall give preference in making one of the appointments to a member who serves on the Joint Standing Committee on Health and Human Services; and