

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 SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

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

Augusta, Maine
2014

Standing Committee on Judiciary an interim report regarding the review in section 1 no later than December 1, 2013 and submit a final report to the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than December 15, 2014, together with any necessary implementing legislation, for presentation to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature. The Probate and Trust Law Advisory Commission is authorized to submit a bill related to ~~its~~ the final report to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature.

; and be it further

Sec. 2. Retroactivity. Resolved: That this resolve applies retroactively to December 1, 2013.

See title page for effective date.

CHAPTER 83

H.P. 1243 - L.D. 1737

Resolve, Extending the Date by Which the Family Law Advisory Commission Must Report on Its Study of the Uniform Parentage Act and Other Similar Laws and Proposals

Preamble. Whereas, Maine law may require clarification and updating with regard to issues relating to parental rights and responsibilities, ethics, inheritance and property rights when genetic, biological and factual parentage cannot be determined in traditional ways; and

Whereas, Maine courts are in need of legislative guidance respecting the determination of parentage in some cases; and

Whereas, the Legislature is desirous of protecting children in such nontraditional circumstances from unnecessary litigation, uncertainty and insecurity; and

Whereas, the Family Law Advisory Commission is authorized to review and make recommendations on family law issues generally under the Maine Revised Statutes, Title 19-A, chapter 5; and

Whereas, the Family Law Advisory Commission began its study of the Uniform Parentage Act pursuant to Resolve 2013, chapter 12 and needs additional time to prepare legislation to carry out its recommendations; now, therefore, be it

Sec. 1. Resolve 2013, c. 12, §2, amended. Resolved: That Resolve 2013, c. 12, §2 is amended to read:

Sec. 2. Reports. Resolved: That the Family Law Advisory Commission shall submit ~~a report~~ to the Joint Standing Committee on Judiciary an interim report no later than December 1, 2013 and submit a final report to the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than December 15, 2014, together with any necessary implementing legislation, for presentation to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature. The Family Law Advisory Commission is authorized to submit legislation related to ~~its~~ the final report to the ~~Second~~ First Regular Session of the ~~126th~~ 127th Legislature.

; and be it further

Sec. 2. Retroactivity. Resolved: That this resolve applies retroactively to December 1, 2013.

See title page for effective date.

CHAPTER 84

H.P. 1155 - L.D. 1584

Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of 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, 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, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services 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 February 26, 2014.

CHAPTER 85

H.P. 1154 - L.D. 1583

Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of 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, 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, MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabili-

ties or Autistic Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services 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 February 26, 2014.

CHAPTER 86

H.P. 1139 - L.D. 1569

Resolve, Regarding Legislative Review of Portions of Chapter 51: Notice of Aerial Pesticide Application, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 51: Notice of Aerial Pesticide Application, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

See title page for effective date.

CHAPTER 87

H.P. 1138 - L.D. 1568

Resolve, Regarding Legislative Review of Portions of Chapter 20: Special Provisions, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 20: Special Provisions, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.