

# MAINE STATE LEGISLATURE

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**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.**

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**Augusta, Maine**  
**2014**

**CHAPTER 100  
S.P. 623 - L.D. 1632**

**Resolve, Directing the  
Commissioner of Defense,  
Veterans and Emergency  
Management To Request the  
Federal Government To  
Recognize Environmental  
Hazards at the Military  
Training Center in Gagetown,  
New Brunswick and the  
Resulting Health Risks and  
Disabilities Suffered by Certain  
Members of the Maine  
National Guard**

**Sec. 1. Request to United States Department of Veterans Affairs. Resolved:** That the Commissioner of Defense, Veterans and Emergency Management shall request the United States Department of Veterans Affairs to recognize the environmental hazards present at the 5th Canadian Division Support Base in Gagetown, New Brunswick, Canada, and the resulting potential health risks and disabilities to veterans who, as members of the Maine National Guard, trained in partnership with Canadian military forces at the 5th Canadian Division Support Base in Gagetown; and be it further

**Sec. 2. Report. Resolved:** That, no later than January 10, 2015, the Commissioner of Defense, Veterans and Emergency Management, or the commissioner's designee, shall report to the joint standing committee of the Legislature having jurisdiction over veterans and legal affairs on the status of the request submitted to the United States Department of Veterans Affairs pursuant to section 1 and include a summary of any correspondence regarding these issues to and from the State's congressional delegation.

See title page for effective date.

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**CHAPTER 101  
H.P. 1272 - L.D. 1774**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
115: Certification,  
Authorization and Approval of  
Education Personnel, a  
Late-filed 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 outside the legislative rule acceptance period; 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 115: Certification, Authorization and Approval of Education Personnel, 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 outside the legislative rule acceptance period, is authorized only if the following change is made:

1. The rule must be amended in Part II, Section 3.1.B.1.f.2 to clarify that the 4 approved pedagogical courses that may be part of an alternative pathway for the endorsement of a secondary career and technical education teacher must cover collectively the following subject matter: curriculum and instruction; assessment; career and technical education shop safety and classroom and lab management; and literacy in career and technical education.

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

Effective April 3, 2014.

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**CHAPTER 102  
H.P. 1274 - L.D. 1777**

**Resolve, To Amend the Resolve  
To Promote the Expansion of  
the Maine Maple Sugar  
Industry**

**Sec. 1. Resolve 2011, c. 132, §7, amended. Resolved:** That Resolve 2011, c. 132, §7 is amended to read:

**Sec. 7. Final report. Resolved:** That, no later than ~~December 4, 2013~~ January 15, 2015, 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

; and be it further

**Sec. 2. Resolve 2011, c. 132, §8, amended. Resolved:** That Resolve 2011, c. 132, §8 is amended to read:

**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 First~~ Regular Session of the ~~126th~~ 127th Legislature.

; and be it further

**Sec. 3. Retroactivity. Resolved:** That this resolve applies retroactively to December 4, 2013.

See title page for effective date.

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## CHAPTER 103

### H.P. 1285 - L.D. 1793

#### Resolve, Regarding Legislative Review of Chapter 12: Rules for Mixed Martial Arts, a Late-filed Major Substantive Rule of the Combat Sports Authority of Maine

**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 outside the legislative rule acceptance period; 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 Chapter 12: Rules for Mixed Martial Arts, a provisionally adopted major substantive rule of the Combat Sports Authority of Maine 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.

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

Effective April 3, 2014.

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## CHAPTER 104

### H.P. 1255 - L.D. 1748

#### Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, 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 97, Private Non-Medical Institution Services, 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