

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

J.S. McCarthy Company
Augusta, Maine
1997

subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

3. Five-year authorization. An educational technician authorization is issued for a 5-year period and may be renewed upon presentation of documentation that the educational technician has completed at least 3 credit hours of professional or academic study or in-service training that is new learning and related to the occupation of educational technicians. Nothing in this section requires a school administrative unit to pay for the cost of the professional or academic study or in-service training of an educational technician.

4. Upgrade of authorization. An educational technician may at any time apply for and receive an upgraded authorization so long as the educational technician presents evidence of meeting the educational preparation requirements for that authorization.

5. Optional local authorization. A school administrative unit may develop and operate an optional local educational technician authorization system under rules adopted by the commissioner. These rules are routine technical rules under Title 5, chapter 375, subchapter II-A.

See title page for effective date.

CHAPTER 554

H.P. 1133 - L.D. 1589

An Act to Amend the Composition of the Information Services Policy Board and Establish a Task Force on Information Technology in the Public Sector

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

Sec. 1. 5 MRSA §1892, sub-§§2 to 4, as amended by PL 1989, c. 857, §36, are further amended to read:

2. Advisory members. Advisory members must be appointed by the Legislative Council to represent the agencies of the Legislature that provide research and information to the Legislature and its committees and an advisory member must be appointed by the Chief Justice of the Supreme Judicial Court to ~~assure~~ ensure that the needs of the Legislature and the Judiciary are known and to inform them of available information, access and innovations to be considered. In addition, the Chancellor of the University of Maine System and the President of the Maine Technical College System each shall appoint an advisory member to ensure that the needs of state institutions of higher education are known and to

encourage the development of compatible information systems and the sharing of information and technologies between educational institutions and agencies of State Government.

3. Terms of office. The voting and advisory members representing state agencies of the Legislature, the Judiciary, the University of Maine System, the Maine Technical College System and the office of the Governor shall serve for a period that coincides with the term of appointment to the agency they represent or to the term designated by the appointing authority, unless revoked sooner by the appointing authority. The members of the private sector serve 3-year terms, except that the initial term of one member is 2 years and the initial term of the other members is 3 years.

4. Expenses and compensation. All members are entitled to reimbursement for expenses in accordance with chapter 379. Members representing state agencies, the Executive Office, the Legislature, the University of Maine System, the Maine Technical College System and the Judiciary are reimbursed for expenses from the budgets of the departments they represent.

A. The members of the board are not entitled to compensation.

Sec. 2. Task Force on Information Technology in the Public Sector.

1. Task force established. There is established the Task Force on Information Technology in the Public Sector, referred to in this Act as the "task force." The purpose of the task force is to study the ways in which information regarding state information and information technology is being accessed by local government, schools, libraries and institutions of higher learning and to ensure that access to this information is maximized by compatible technologies.

2. Task force membership. The task force membership must include but not be limited to:

A. The Commissioner of Administrative and Financial Services or the commissioner's designee;

B. Two members of the Legislature, one to be appointed by the President of the Senate and one to be appointed by the Speaker of the House;

C. The Executive Director of the Legislative Council or the executive director's designee;

D. The Chair of the Information Services Policy Board or the chair's designee;

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

- F. The State Librarian or the librarian's designee;
- G. The Secretary of State or the secretary's designee;
- H. The Chair of Public Utilities Commission or the chair's designee;
- I. The Public Advocate or the advocate's designee;
- J. The Director of the State Planning Office or the director's designee;
- K. The Commissioner of Public Safety or the commissioner's designee;
- L. The Director of the Bureau of Information Services or the director's designee;
- M. The Chancellor of the University of Maine System or the chancellor's designee;
- N. The President of the Maine Technical College System or the president's designee;
- O. A representative from the Maine Science and Technology Foundation, appointed by the foundation;
- P. A representative from the Maine Municipal Association, appointed by the association;
- Q. A representative from the Maine School Board Association, appointed by the association; and
- R. Five members of the public, appointed by the chairs of the task force.

The task force may extend an invitation to the Chief Justice of the Supreme Judicial Court to appoint a liaison to participate on the task force. The task force may supplement its membership as needed and create working groups with representatives from state agencies and the private sector to assist it in its work.

3. Appointments; meetings; chairs. Appointing authorities shall make all appointments to the task force by September 15, 1997 and report those appointments to the Governor, who shall call the first meeting by September 30, 1997. A legislative representative and the Commissioner of the Department of Administrative and Financial Services or the commissioner's designee serve as cochairs.

4. Responsibilities of task force. The task force shall:

- A. Study and recommend whether the State should create a board or invest an existing board with the authority to serve as the lead coordinat-

ing and policy agency on information technology expenditures by State Government and state-funded educational institutions;

- B. Identify current and pending public technology initiatives undertaken by State Government or state-funded educational institutions that are of significance to the State;

- C. Identify innovative ways to improve the return on the public's investment in those initiatives;

- D. Recommend ways in which those initiatives should be coordinated to provide for optimum public and private benefits;

- E. Recommend continued clearinghouse arrangements for sharing and distributing information on new technology initiatives;

- F. Recommend standards that allow the greatest possible compatibility for the resulting technology; and

- G. Recommend policies and actions that will enhance the acquisition, storage, retrieval and accessibility of public information from electronic data bases of State Government.

5. Staff assistance. The Department of Administrative and Financial Services and the State Planning Office shall provide staffing assistance to the task force.

6. Reimbursement; mileage and other costs associated with participation on task force. The task force members who are legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2 and expenses for attendance at meetings of the task force. Other members are not entitled to compensation.

7. Funding. The task force is empowered to receive and expend funds and contract for services as required.

8. Report. The task force shall prepare and submit a report, including any necessary implementing legislation, to the Governor, the Chief Justice of the Supreme Judicial Court, the Executive Director of the Legislative Council and the Joint Standing Committee on State and Local Government by January 1, 1998 to be submitted to the First Regular Session of the 119th Legislature.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1997-98

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

LEGISLATURE

Task Force on Information Technology in the Public Sector

Personal Services	\$440
All Other	400

Provides funds for the per diem and expenses of legislative members of the Task Force on Information Technology in the Public Sector.

LEGISLATURE

TOTAL \$840

See title page for effective date.

CHAPTER 555

H.P. 1215 - L.D. 1715

An Act to Conform the State Revolving Loan Fund for Drinking Water with the 1996 Amendments to the Federal Safe Drinking Water Act

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

Whereas, amendments to the federal Safe Drinking Water Act were enacted subsequent to the adjournment of the Second Regular Session of the 117th Legislature; and

Whereas, effective and efficient use of new federal funds authorized in the federal Safe Drinking Water Act of 1996 require conforming language in the laws of this State; and

Whereas, drinking water projects eligible for funding under the new federal laws, prepared to start construction in the spring of 1997, will be severely limited or prohibited from proceeding unless the appropriate alterations are made in the laws of this State; 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,

Sec. 1. 30-A MRSA §5903, sub-§7-A, ¶¶A and B, as enacted by PL 1993, c. 2, §5, are amended to read:

A. Any city, town, special district, county, plantation or municipal village corporation within the State; ~~or~~

B. For the purpose of section 5953, subsection 1, paragraph D only, any water utility as defined in subsection 13-; or

Sec. 2. 30-A MRSA §5903, sub-§7-A, ¶C is enacted to read:

C. For the purpose of section 5953, subsection 1, paragraph D, section 5953-B and section 6006-B, any public water system as defined under Title 22, section 2601, subsection 8.

Sec. 3. 30-A MRSA §5953-B, as enacted by PL 1991, c. 605, §7, is amended to read:

§5953-B. Loans from safe drinking water revolving loan fund

1. Loan application. In addition to the other forms of financial assistance available under section 6006-B, a public water utility system that is a community water system or a nonprofit water system that is not a community water system may apply for a loan from the safe drinking water revolving loan fund, in this section called the "fund," the proceeds of which must be used to acquire, design, plan, construct, enlarge, repair, protect or improve drinking water supplies or treatment systems owned by the applicant, or for any actions authorized or required under the federal Safe Drinking Water Act of ~~1974~~ 1996, 42 United States Code, Sections 300f to 300j-9, as amended.

The bank may prescribe an application form or procedure for a public water utility system to apply for a loan under this section. The application must include any information that the bank determines necessary for the purpose of implementing this section and section 6006-B.

For purposes of this section, the term "public water utility system" has the same meaning as defined in Title ~~35-A~~ 22, section ~~402~~ 2601, subsection ~~22~~ 8.

2. Loan; loan agreements. Loans from the fund are subject to this subsection.

A. The bank may make loans from the fund to a public water utility system for one or more of the purposes set forth in subsection 1. Each of the loans is subject to the following conditions.