

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 5, 2000 to May 12, 2000**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 11, 2000**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2000**

outreach efforts in order to assess the interest of the State's dairy farmers in forming a cooperative association.

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

Effective April 10, 2000.

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## CHAPTER 106

S.P. 964 - L.D. 2513

### Resolve, Regarding Services for Older Persons with Mental Illness

**Sec. 1. Departmental initiatives. Resolved:** That the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services shall undertake initiatives related to the recommendations of the Joint Advisory Committee on Select Services for Older Persons that reflect the goals outlined in the recommendations and can be accomplished within the budgets of the departments. By February 1, 2001, the departments shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on their progress regarding these initiatives; and be it further

**Sec. 2. Quality assurance. Resolved:** That, within the limits of the appropriated funds, the Department of Mental Health, Mental Retardation and Substance Abuse Services shall adopt quality assurance measures and performance indicators for service providers that reflect the needs and circumstances of older persons. By February 1, 2001, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on progress regarding these measures and indicators; and be it further

**Sec. 3. Joint Advisory Committee on Select Services for Older Persons. Resolved:** That the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services shall provide support for the Joint Advisory Committee on Select Services for Older Persons, referred to in this section as the "advisory committee." The advisory committee shall operate until December 31, 2002. The advisory committee shall study the special needs of older persons, including, but not limited to, services or treatment for mental health, mental retardation, substance abuse and dementia and shall advise the departments on services required to meet those needs. The advisory committee shall monitor the develop-

ment of new initiatives within both departments that serve older persons with special needs. The advisory committee shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on February 1, 2001, August 1, 2001, February 1, 2002, August 1, 2002 and December 31, 2002.

See title page for effective date.

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## CHAPTER 107

H.P. 1691 - L.D. 2397

### Resolve, to Require an Examination of Distributed Generation

**Sec. 1. Examination of distributed generation. Resolved:** That the Public Utilities Commission shall undertake an examination of the issues related to existence and likely spread of the availability and use of local electric generation designed to serve the electrical demands of a single person or a small group of persons within a localized geographic area, referred to in this resolve as "distributed generation." The commission shall examine at least the following:

1. The nature of distributed generation technologies currently available and those in development;
2. Potential impacts on transmission and distribution utilities and their customers;
3. System planning impacts both in the short and long term;
4. The extent to which current law authorizes, limits and affects the use of distributed generation;
5. Safety issues raised by interconnection of distributed generation to transmission and distribution systems; and
6. Policy issues and options related to the following:
  - A. Use of distributed generation by transmission and distribution utilities in lieu of line extensions;
  - B. Use of competitive pricing for distribution services;
  - C. Allowing transmission and distribution utilities or affiliates of transmission and distribution utilities to be directly involved in the distributed generation business;

D. Appropriateness of standby rates and station service rates for customers using distributed generation;

E. Use of net billing and metering arrangements; and

F. Regulation of interconnection; and be it further

**Sec. 2. Report. Resolved:** That the Public Utilities Commission shall issue a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters no later than October 1, 2001 of its findings and recommendations resulting from its examination pursuant to section one of this resolve; and be it further

**Sec. 3. Authority to report legislation. Resolved:** That the joint standing committee of the Legislature having jurisdiction over utilities and energy matters may report out legislation on distributed generation to the First Regular Session or the Second Regular Session of the 120th Legislature after receiving the final report of the Public Utilities Commission pursuant to section 2 of this resolve.

See title page for effective date.

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## CHAPTER 108

H.P. 1852 - L.D. 2590

**Resolve, Regarding Legislative Review of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor**

**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 II-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 Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a provisionally adopted major substantive rule of the Department of Labor, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized.

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

Effective April 10, 2000.

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## CHAPTER 109

H.P. 1934 - L.D. 2678

**Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 2000**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

**Whereas,** Kennebec County has certain expenses and liabilities that must be met as they become due; and

**Whereas,** it is necessary that the taxes for the year 2000 be immediately assessed in order to provide the required revenue for the county; 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