

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

AdS

L.D. 676

Date: 05-14-07

(Filing No. S-106)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

Majority

COMMITTEE AMENDMENT "A" to S.P. 213, L.D. 676, Bill, "An Act To Implement the Recommendations of the Task Force To Study Maine's Homeland Security Needs"

Amend the bill by striking out all of section 1.

Amend the bill in section 2 in §451 in subsection 2 in the 3rd line (page 1, line 31 in L.D.) by striking out the following: "January" and inserting the following: 'June'

Amend the bill in section 2 in §451 in subsection 2 in the 5th line (page 1, line 33 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill in section 2 in §451 in subsection 2 in the 6th line (page 1, line 34 in L.D.) by striking out the following: "2008" and inserting the following: '2009'

Amend the bill by striking out all of sections 3 and 4.

Amend the bill by striking out all of sections 9, 10, 11 and 12.

Amend the bill by inserting after section 12 the following:

'Sec. 13. PL 2005, c. 634, §21 is repealed and the following enacted in its place:

Sec. 21. Identification of use of school as a community shelter. A school must indicate whether the school will be used as a community shelter as provided in this section.

1. Funding provided through the School Revolving Renovation Fund. The Department of Education shall require projects applying for funding from the School Revolving Renovation Fund, as established in the Maine Revised Statutes, Title 30-A, section 6006-F, to provide a written answer to the question: "Do you plan to use this school as a public community shelter?"

2. Major capital construction projects. Before granting concept approval to a major capital construction project, the State Board of Education shall require a written answer to the question: "Do you plan to use this school as a public community shelter?"

108

1 Amend the bill by striking out all of section 13 and inserting the following:

2 **'Sec. 13. Interim progress report on local health officers.** The Director of
3 the Maine Center for Disease Control and Prevention within the Department of Health
4 and Human Services, in conjunction with the Public Health Work Group and other
5 stakeholders and interested parties, shall further study local health officer qualifications
6 and adopt rules pursuant to the Maine Revised Statutes, Title 22, section 451, including
7 redefining the role of the local health officer and updating related statutes to clarify that
8 role. The director shall make an interim progress report to the Joint Standing Committee
9 on Criminal Justice and Public Safety by January 1, 2008. The director shall report final
10 recommendations, including any necessary legislation, to the Homeland Security
11 Advisory Council created in Title 37-B, section 708 and the Joint Standing Committee on
12 Health and Human Services and the Joint Standing Committee on Criminal Justice and
13 Public Safety by January 1, 2008. The joint standing committees are authorized to submit
14 legislation based on the report to the Second Regular Session of the 123rd Legislature.
15 Rules adopted pursuant to this section are major substantive rules as defined in Title 5,
16 chapter 375, subchapter 2-A.'

17 Amend the bill in section 14 in the 2nd line (page 5, line 15 in L.D.) by striking out
18 the following: "July" and inserting the following: 'September'

19 Amend the bill in section 15 in the 5th and 6th lines (page 6, lines 8 and 9 in L.D.) by
20 striking out the following: "in order to meet the requirement of Title 37-B, section 783
21 that at least one such shelter be established in each county no later than January 1, 2008"

22 Amend the bill in section 15 in the 3rd line from the end (page 6, line 11 in L.D.) by
23 striking out the following: "September 1, 2007" and inserting the following: 'January 1,
24 2008'

25 Amend the bill in section 16 in the 5th line (page 6, line 18 in L.D.) by striking out
26 the following: "required under Title 37-B, section 783"

27 Amend the bill in section 16 in the 3rd line from the end (page 6, line 23 in L.D.) by
28 striking out the following: "September 1, 2007" and inserting the following: 'January 1,
29 2008'

30 Amend the bill in section 17 in the 6th line (page 6, line 31 in L.D.) by striking out
31 the following: "required under Title 37-B, section 783"

32 Amend the bill in section 17 in the 3rd line from the end (page 6, line 34 in L.D.) by
33 striking out the following: "September 1, 2007" and inserting the following: 'January 1,
34 2008'

35 Amend the bill in section 18 in the 6th line (page 6, line 42 in L.D.) by striking out
36 the following: "code" and inserting the following: 'means of'

37 Amend the bill in section 18 in the 2nd and 3rd lines from the end (page 7, lines 1
38 and 2 in L.D.) by striking out the following: "July 1, 2007" and inserting the following:
39 'January 1, 2008'

COMMITTEE AMENDMENT "A" to S.P. 213, L.D. 676

Amend the bill in section 19 in the 2nd and 3rd lines from the end (page 7, lines 13 and 14 in L.D.) by striking out the following: "September 1, 2007" and inserting the following: 'January 1, 2008'

Amend the bill in section 20 in the 3rd line from the end (page 7, line 24 in L.D.) by striking out the following: "September 1, 2007" and inserting the following: 'January 1, 2008'

Amend the bill by striking out all of section 21 and inserting the following:

Sec. 21. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Stream Gaging Cooperative Program 0858

Initiative: Provides funds for 6 stream gauges to be installed on rivers in York and Cumberland counties.

GENERAL FUND	2007-08	2008-09
All Other	\$64,100	\$36,600
GENERAL FUND TOTAL	\$64,100	\$36,600

FEDERAL EXPENDITURES FUND	2007-08	2008-09
All Other	\$27,500	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$27,500	\$0

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment is the majority report of the Joint Standing Committee on Criminal Justice and Public Safety and does the following.

1. It strikes section 1 of the bill regarding comprehensive emergency management plans, as the issue is being addressed in L.D. 222, "An Act To Ensure the Integrity of School Crisis Response Plans."

2. It specifies that local health officers must be qualified by education, training or experience in the field of public health or a combination as determined by standards set through the adoption of major substantive rules by the Department of Health and Human Services, Maine Center for Disease Control and Prevention by June 1, 2008. A person

1 employed as a local health officer before June 1, 2008 who is not qualified by education,
2 training or experience must meet qualification standards no later than June 1, 2009.

3 3. Instead of creating statutory mandates for the adoption of policies in each of these
4 areas, it directs the Maine Emergency Management Agency to continue to work with
5 communities to develop plans for ensuring sheltering of pets, to ensure continuous
6 medical care of persons transferred in emergencies and to ensure identification of persons
7 who need transportation in an emergency and to report to the Joint Standing Committee
8 on Criminal Justice and Public Safety by January 1, 2008 with recommendations
9 including legislative changes, if necessary.

10 4. It strikes provisions specifying that persons who have been certified by the
11 Department of Labor, Bureau of Rehabilitation Services, Division of Deafness as being
12 deaf or hard-of-hearing and have an income of less than 135% of the federal poverty level
13 must receive a wireless communications device or 2-way pager and the monthly service
14 for that device or pager without charge. This issue is referred for review to the Joint
15 Standing Committee on Utilities and Energy.

16 5. It strikes provisions creating an annual fee structure for payment by municipal and
17 private dam owners to support dam inspection, maintenance and repair.

18 6. It amends provisions dealing with rulemaking and establishing standards for local
19 health officers by allowing the Director of the Maine Center for Disease Control and
20 Prevention more time to establish and adopt major substantive rules.

21 7. It changes the time by which the Director of the Maine Emergency Management
22 Agency, in cooperation with the Maine Developmental Disabilities Council and the
23 Public Utilities Commission, must develop and implement a plan, including funding, to
24 provide a statewide disability indicator system to allow individuals with disabilities and
25 special health needs to provide a means for identifying special assistance needed in an
26 emergency. The director shall report regarding the implementation of the plan and shall
27 identify any necessary implementing legislation to the Joint Standing Committee on
28 Criminal Justice and Public Safety by January 1, 2008.

29 8. It changes the time by which the Director of the Maine Emergency Management
30 Agency, in cooperation with the Chief Information Officer and the Statewide Radio
31 Network Board, must seek and coordinate information from fire chiefs across the State
32 identifying those facilities in each chief's community that pose radio communications
33 challenges and, after a standardized risk assessment, are identified as having high
34 potential for high vulnerability in an emergency event. The director shall report findings
35 and recommendations, including any necessary legislation, to the Joint Standing
36 Committee on Criminal Justice and Public Safety by January 1, 2008.

37 9. It changes the time by which the Director of the Maine Emergency Management
38 Agency, in cooperation with the Department of Professional and Financial Regulation
39 and the Department of Environmental Protection, must research the public safety factors
40 involved in determining whether fuel tanks should be attached to buildings in order to
41 withstand high winds and flooding and whether all fuel tanks should have emergency
42 shut-off valves. The director shall report findings and recommendations, including any
43 necessary legislation, to the Homeland Security Advisory Council by January 1, 2008.

FISCAL NOTE REQUIRED
(See attached)

**123rd MAINE LEGISLATURE****LD 676****LR 534(02)****An Act To Implement the Recommendations of the Task Force To Study Maine's Homeland Security Needs****Fiscal Note for Bill as Amended by Committee Amendment "A "****Committee: Criminal Justice and Public Safety****Fiscal Note Required: Yes**

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$64,100	\$36,600	\$36,600	\$36,600
Appropriations/Allocations				
General Fund	\$64,100	\$36,600	\$36,600	\$36,600
Federal Expenditures Fund	\$27,500	\$0	\$0	\$0

Fiscal Detail and Notes

This bill includes General Fund appropriations of \$64,100 and \$36,600 in fiscal years 2007-08 and 2008-09, respectively, and a one-time Federal Expenditures Fund allocation of \$27,500 in fiscal year 2007-08 to the Department of Defense, Veterans and Emergency Management for the costs of installing 6 stream gauges on rivers in York and Cumberland counties.

Any additional costs to the Maine Center for Disease Control and Prevention in the Department of Health and Human Services in implementing this bill can be absorbed by the Center utilizing existing budgeted resources.