

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

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

Twin City Printery
Lewiston, Maine
1989

RESOLVES

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

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

Whereas, recently, many nonprofit service agencies and some businesses in Maine have found it difficult to obtain property, casualty and liability insurance; and

Whereas, some of those agencies and some businesses that have been able to obtain property, casualty and liability insurance have experienced premium increases as high as 600% over the previous billing period; and

Whereas, in order for this study to be completed by November 15, 1987, work must begin as soon as possible after the adjournment of the First Regular Session of the 113th Legislature; 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

Study. Resolved: That the Joint Standing Committee on Banking and Insurance shall study availability and affordability problems in professional liability, nonprofit service organizations and other hard-to-obtain lines of insurance. This study shall focus on the extent to which the problems stated in the preamble exist in the Maine economy. If these problems are found to exist to an extensive degree, the committee shall study the following insurance alternatives: Self-insurance funds, insurance compacts, reinsurance funds and experience based rating. If the committee concludes that any of these insurance alternatives would be beneficial in alleviating the problems stated in the preamble, the committee shall establish guidelines for implementing that alternative; and be it further

Findings. Resolved: That the committee shall report its findings and any recommended legislation to the Legislature by November 15, 1987; and be it further

Staff assistance. Resolved: That the committee shall request from the Legislative Council sufficient staff assistance, including limited-period contractual assistance, to carry out these duties; and be it further

Meetings. Resolved: That 4 members of the committee shall meet 5 times to study the issues through examination of data, consultation with staff and recognized experts and conducting public hearings; and be it further

Reimbursement. Resolved: That the members of the committee participating in the study shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at committee meetings. All members of the committee participating in the study shall receive expenses as defined in Title 3, section 2; and be it further

Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

		<u>1987-88</u>
<u>LEGISLATURE</u>		
Study Commissions — Funding		
Personal Services		\$1,100
All Other		6,800
Total		<u>\$7,900</u>

Provides for the per diem travel and related expenses of a 4-member subcommittee of the Joint Standing Committee on Banking and Insurance. Also provides funds for a 3-month contractual research assistant position.

Emergency clause. In view of the emergency cited in the preamble, this Resolve shall take effect when approved.

Effective June 29, 1987.

CHAPTER 66

H.P. 802 — L.D. 1076

Resolve, to Establish a Commission to Study Health Services in Public Schools.

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

Whereas, this resolve establishes a commission to study health services in public schools; and

Whereas, in order to complete the study by February 1, 1988, it should be started as soon as possible; 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

Study commission created. Resolved: That there is established the Commission to Study Health Services in Public Schools which provide counseling and services related to adolescent health needs; and be it further

Appointment. Resolved: That the commission shall consist of 13 members, appointed in the following manner: Two Senators appointed by the President of the Senate; 3 Representatives appointed by the Speaker of the House; the Commissioner of Human Services or his designee; the Commissioner of Educational and Cultural

Services or his designee; one member of the State Board of Education, selected by the board; one guidance counselor, selected by the Maine Association of Guidance Counselors; one parent, one teacher and one physician appointed by the Governor; and one nurse selected by the Maine Nurses Association. The appointments shall be made within 30 days of the effective date of this Act. Those appointing or selecting members of the commission shall notify the Chairman of the Legislative Council of their appointments; and be it further

Covering of commission. Resolved: That when the appointment of all commission members is completed, the Chairman of the Legislative Council shall convene the first meeting within 15 days. The commission shall choose a chairman from among its members; and be it further

Duties. Resolved: That the commission shall undertake to study the need for school-based health services established to address adolescent health needs and concerns including, but not limited to, pregnancy, parenting, suicide, mental health, substance abuse and sexuality and recommend appropriate educational programs and health services which may appropriately be provided in the public schools; and be it further

Report. Resolved: That the commission shall present its findings, together with any recommended legislation to the Second Regular Session of the 113th Legislature by February 15, 1988; and be it further

Assistance. Resolved: That, if staff assistance is desired, assistance shall be requested from the Legislative Council; and be it further

Compensation. Resolved: That the members of the commission who are Legislators shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at commission meetings. All members of the commission shall receive reimbursement for expenses upon application to the Executive Director of the Legislative Council; and be it further

Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1987-88

LEGISLATURE

Commission to Study Health Services in
Public Schools

Personal Services	\$1,650
All Other	5,800

Total	<u>\$7,450</u>
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Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective June 29, 1987.

CHAPTER 67

S.P. 632 — L.D. 1853

Resolve, Establishing the Maine Commission of Forest Land Taxation.

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

Whereas, recent changes in federal tax policies, economic conditions and international competition have raised questions about the relationship between the State's tax policies with regard to forest land; and

Whereas, this relationship needs careful and immediate study in order to provide recommendations to the Second Regular Session of the 113th Legislature; 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,

Commission established. Resolved: That there is created the Maine Commission on Forest Land Taxation; and be it further

Purpose. Resolved: That the purpose of the commission is to examine the present aggregate level of taxation on Maine forest land and to determine whether present tax policies impede long-term investment need to sustain the forest economy of the State; and be it further

Duties and responsibilities. Resolved: That the commission shall review the total tax burden affecting forest land ownership, management, the relationship between taxation and management activity and whether combined state and federal tax policies act to encourage or discourage long-term forest management and maintenance of a stable land base.

The commission shall file a preliminary report no later than December 15, 1987, and a final report no later than January 15, 1988, and shall make such recommendations therein as it deems necessary to encourage long-term investment in Maine's forest; and be it further

Appointment. Resolved: That the commission shall be composed of 5 members of the House of Representatives appointed by the Speaker of the House and 3 members of the Senate appointed by the President, all of whom shall be members of either the Joint Standing Committee on Taxation or the Joint Standing Committee on Energy and Natural Resources. In addition, there shall be 5 public members appointed by the Governor, one of whom shall be a certified public accountant with experience in forest taxation, one of whom shall be