

# 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.

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Twin City Printery  
Lewiston, Maine  
1989

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**RESOLVES**

OF THE

**STATE OF MAINE**

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

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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

a representative of small woodlot owners, one of whom shall be a representative of a large nonindustrial ownership, one of whom shall be a forest landowner engaged in manufacturing of forest products, one of whom shall be a faculty member of the College of Forest Resources of the University of Maine with expertise in forest economics. The Commissioner of Conservation and the Director of the State Planning Office or their designees shall serve ex officio; and be it further

**Staffing. Resolved:** That the commission may request staff assistance from the Legislative Council. The Department of Finance, the Department of Conservation and the State Planning Office shall provide assistance as requested from time to time by the commission; and be it further

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

	<u>1987-88</u>
<u>LEGISLATURE</u>	
Commission on Forest Land Taxation	
Personal Services	\$2,640
All Other	\$6,400
Total	<u>\$9,040</u>
Provides funds for per diem for legislative members, travel and related expenses of the commission.	

**Emergency clause.** This resolve shall take effect when approved.'

Effective June 29, 1987.

## CHAPTER 68

H.P. 1302 — L.D. 1781

### Resolve, to Establish the Juvenile Corrections Planning Commission.

**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 Department of Corrections is engaged in a comprehensive planning process for the future of correctional facilities and programs; and

Whereas, the needs of youth have yet to adequately address this planning process; and

Whereas, a Juvenile Corrections Planning Commission is needed to create a master plan for juveniles; and

Whereas, the Juvenile Corrections Planning Commission must begin work immediately to complete its assignment in time for the 114th 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

**Commission established. Resolved:** That the Juvenile Corrections Planning Commission is established. The commission shall be comprised of 18 members who shall be appointed in the following manner: The Commissioner of Corrections or his designee; the Commissioner of Educational and Cultural Services or his designee; the Commissioner of Human Services or his designee; the Commissioner of Mental Health and Mental Retardation or his designee; one district attorney to be selected by the Commissioner of Public Safety; one employee of the Division of Probation and Parole to be designated by the Commissioner of Corrections; one sheriff who is a member of the Maine Sheriffs' Association, one police officer who is a member of the Maine Chiefs of Police Association, one Training School Counselor who is a member of the Association of Federal, State, County and Municipal Employees, one Maine Youth Center Unit Director who is a member of the Maine State Employees Association, one member of the Advocates for the Developmentally Disabled, one member of a nonprofit agency which contracts to provide community-based services with the Department of Corrections and one member from the Juvenile Justice Advisory Group, all to be appointed by the Governor; and 3 members of the House of Representatives, appointed by the Speaker of the House and 2 Senators, appointed by the President of the Senate, of which 4 Legislators shall be members of the Select Committee on Corrections and one Legislator shall be a member of the Joint Standing Committee on Appropriations and Financial Affairs; together with one District Court Judge and one Superior Court Judge, who shall act as nonvoting advisory members, both to be appointed by the Chief Justice of the Supreme Judicial Court. The members shall choose a chairman from among themselves at their first meeting. Legislators shall receive the legislative per diem and all other members shall receive expenses only; and be it further

**Consultants. Resolved:** That the Commissioner of Corrections shall contract with private consultants to develop a proposed plan for juvenile correction services, including an analysis of current services being provided by the State and local agencies; the relationship between institutional and community programs; the relationships among services being provided by the Department of Corrections, Department of Human Services, Department of Mental Health and Mental Retardation and Department of Educational and Cultural Services; projections of need for services during the next decade; appropriate policies, facilities and programs required to meet the need for services in the future; and steps to