

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

dination sites and the public, shall be appointed by the 3 commissioners to work with the ~~department~~ interdepartmental council to establish guidelines, including continuation applications, to monitor grants and to evaluate the performance of area coordination programs developed through the grants.

The members of this committee shall be compensated in accordance with Title 5, chapter 379.

Sec. 6. 20-A MRSA §7804, sub-§1, as enacted by PL 1985, c. 768, §1, is repealed.

Sec. 7. 20-A MRSA §7804, sub-§1-A is enacted to read:

1-A. Grants. The committee, as established in section 7803, shall provide funds for the maintenance of existing sites and shall provide funds for new or expanded sites, as funds are available. These funds must support the effective delivery of services to handicapped youth in transition by coordinating existing programs, when possible, and establishing a mechanism for ongoing coordination of programs for handicapped youths in transition at a local or regional level, including local educational agencies, community mental health centers, regional mental retardation services, regional rehabilitation programs and other public and private agencies as appropriate. Each project must establish a method to identify unserved and underserved handicapped youths in transition and develop services for these youths.

Sec. 8. 20-A MRSA §7804, sub-§§2, 4 and 5, as enacted by PL 1985, c. 768, §1, are amended to read:

2. Rules. The committee shall promulgate by rules policy and procedures that assure participation at the local level by agencies currently serving handicapped youths in transition from school to community. They shall require that existing resources for providing services to handicapped youths in transition be exhausted prior to using grants funds to provide services.

4. Area coordinating committee. ~~A local~~ An area coordinating committee, organized prior to application for receipt of a grant, shall be responsible for governance of each local program site. Membership shall include representatives of transitional services programs in the region to be served by the grant; representatives of the appropriate regional offices of the Department of Human Services and, the Department of Mental Health and Mental Retardation, the Department of Corrections and the Department of Labor; representatives of participating school administrative units; representatives of adult service agencies, including rehabilitation facilities; parents of handicapped children with handicapping conditions; employers; and other community members as appropriate. Terms of membership and methods of appointment or election shall be determined by local area coordinating committee bylaws, subject to approval of the committee. Responsibilities of local area coordinating committees shall be detailed in the rules promulgated by the committee.

5. Evaluation. Continuous evaluation of the ~~pilot projects~~ project sites shall be required and shall be an integral part of each ~~pilot~~ project. The committee shall ~~determine the expected outcome goals of the pilot projects and shall~~ cause to be developed an evaluation design to determine the success of the ~~pilot projects~~ and shall ensure its implementation.

~~The 3 commissioners shall present to the Legislature an interim report prior to December 15, 1987. This report shall provide an assessment of the planning efforts of the State Interdepartmental Coordinating Committee for Handicapped Youths in Transition. In addition, this report shall contain any recommendations, including legislation for the continuation or expansion of the pilot projects.~~

~~The 3 commissioners shall present to the Legislature a final report prior to December 15, 1988. This report shall provide an evaluation summary of the pilot projects and recommendations, including legislation, necessary to carry out a statewide service delivery system with an implementation schedule to begin July 1, 1989.~~

Sec. 9. 20 MRSA §7804, sub-§6 is enacted to read:

6. Report. The interdepartmental council shall present to the Legislature an annual report on the activities of the committee. This report shall provide an evaluation summary of the projects and recommendations, including legislation, necessary to support and maintain a statewide transitional services planning and delivery system.

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

Effective April 24, 1990.

CHAPTER 900

H.P. 1438 - L.D. 2008

An Act to Establish Coastal Watershed Districts

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

Sec. 1. 38 MRSA c. 23-A is enacted to read:

CHAPTER 23-A

COASTAL WATERSHED DISTRICTS

§2021. Coastal watershed districts

1. Authorization; purpose. Coastal watershed districts may be created pursuant to this chapter to protect, restore and maintain water quality and aquatic

resources of coastal harbors, bays, estuaries and other coastal waters and to manage and conserve the land and water resources of coastal watersheds within the jurisdictions of these districts.

2. Administration. The coastal watershed district is governed according to the requirements of chapter 23 except that:

A. The purposes are those stated in this section;

B. Section 2007 does not apply;

C. The term coastal watershed district is used in place of the terms watershed district and lake watershed district in chapter 23;

D. The trustees shall include a representative of any sanitary districts, as defined in chapter 11, and any sewer districts, as defined in chapter 12, that operate within the proposed coastal watershed district; and

E. The costs of any public hearing held by the department pursuant to section 2002, subsection 3, must be borne by the applicants.

3. Overlap of territory with watershed district. If a watershed district has been established within the proposed territory of a coastal watershed district, the coastal watershed district shall submit as part of an application under section 2002, an agreement with the watershed district stating how this overlap of jurisdiction is to be resolved.

§2022. Powers

A coastal watershed district has the following powers.

1. General. Any district organized under this chapter may sue and be sued; make contracts; accept gifts; purchase, lease, devise or otherwise acquire, hold or dispose of real or personal property; disburse money; contract debt; adopt rules; and do other acts necessary to carry out the purposes of the district.

2. Security required. The coastal watershed district may require that a contracting party give adequate security to ensure performance of the contract and to pay all damages that may arise from inadequate performance.

3. Responsibilities. The coastal watershed district is responsible for:

A. Initiating and coordinating research and surveys to gather data on coastal harbors, bays, estuaries and other coastal waters, related shorelands, watersheds and aquatic resources within the territory of the district;

B. Planning coastal restoration projects to improve water quality and enhance aquatic resources within the district;

C. Contacting and attempting to secure the cooperation of municipal officials and state agencies to enact and enforce ordinances and regulations necessary to further the purposes of the district;

D. Adopting and implementing coastal protection, management and restoration plans; and

E. Adopting and implementing plans and programs to facilitate coordination of water level management.

4. Limits of jurisdiction. The limits on jurisdiction are as follows:

A. The district has no authority to set a water level regime for a body of water impounded by a dam that is exempt from the authority of the board to set water level regimes under section 840, subsection 1.

B. The district's authority to set a water level regime for any water body within its boundaries and over any dams within its boundaries is subordinate to the authority of the department under chapter 5, subchapter I, article 1, subarticle 1-B and article 3-A.

Sec. 2. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
Bureau of Water Quality Control	
All Other	\$1,000
Provides funds for anticipated public hearing costs associated with the formation of a coastal watershed district.	

See title page for effective date.

CHAPTER 901

H.P. 1613 - L.D. 2230

An Act to Clarify the Negotiability of Sabbatical Leave Agreements

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