

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

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TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1990

RESOLVES
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

commission shall select a chair and the cochair from among its members.

Under the direction of the chair and the cochair, the special commission may divide into subcommittees for the purposes of considering various education reform issues more effectively; and be it further

Sec. 4. Report. Resolved: That the special commission shall present its initial findings, together with any recommended legislation, in an interim report by March 1, 1991. The final report of the commission, together with any recommended legislation, must be presented to the First Regular Session of the 115th Legislature and the Joint Standing Committee on Education with a copy to the Office of the Executive Director of the Legislative Council by December 1, 1991. The commission in its final report, in addition to assessing past educational reform measures and recommending what ought to be retained, changed or eliminated, may recommend broad goals for future educational reform based on its assessment and shall make recommendations on the need for and method of establishing a process for the assessment of future reform measures.

The final report of the commission shall be widely disseminated to the public, affected constituencies and officials through public meetings, media exposure and use of the Interactive Television System of the University of Maine System; and be it further

Sec. 5. Assistance. Resolved: That the special commission may hire consultants or researchers to assist in performing its duties. With the approval of the Legislative Council, the special commission may apply for grants or technical assistance from public or private organizations. Agencies of State Government shall provide information requested by the special commission. In conducting surveys and policy research, the special commission may request assistance from the University of Maine System. If additional staff assistance is desired, assistance may be requested from the Legislative Council; and be it further

Sec. 6. 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. Upon application to the Executive Director of the Legislative Council, all members of the commission who are not state employees shall receive reimbursement for expenses in accordance with the Maine Revised Statutes, Title 5, chapter 379; and be it further

Sec. 7. Funding. Resolved: That the Legislative Council, on behalf of the Joint Standing Committee on Education, may seek outside sources of funding to finance the study provided in this resolve. The Legislative Council shall administer any outside funds acquired for the conduct of the study. Expenditures may not be incurred that have an impact on the General Fund. Expenditures may not be incurred relative to this study unless the outside sources of funding have been received by the Legislative Council.

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

Effective April 19, 1990.

CHAPTER 89

S.P. 496 - L.D. 1370

Resolve, to Study the Feasibility of Establishing a Piscataqua River Basin Compact between Maine and New Hampshire

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

Whereas, there are numerous immediate and pressing concerns about the use of water resources in the Piscataqua River Basin and environs, including concerns arising from increased river traffic, identified hazardous waste sites, discharges of sewerage that impair shellfish beds and greatly increased development pressures within the basin; and

Whereas, these concerns arise from ongoing activities that degrade the quality of limited resources within the basin and therefore must be addressed immediately; and

Whereas, a study commission is proposed to address these concerns and propose remedial actions and legislation to alleviate negative impact; and

Whereas, a study is most efficiently and economically conducted during the summer months and must be initiated quickly so that legislation may be proposed to the next session of the 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

Sec. 1. Study commission created and charged. Resolved: That there is established the Commission to Study the Feasibility of Establishing a Piscataqua River Basin Compact between Maine and New Hampshire. The commission shall cooperate with the legislative study committee established by the New Hampshire legislature and shall study the conditions existing within the Piscataqua River Basin and the feasibility of establishing an interstate compact to create a Piscataqua River Basin Authority to be jointly established by the states of Maine and New Hampshire and given either regulatory or advisory responsibility for activities within the basin that have an interstate impact, such as recreational boating, pollution control, fishing, shellfish harvesting, waterfront development, dredging, navigation and the preservation of wetlands and public access; and be it further

Sec. 2. Appointment. Resolved: That the study commission consists of 8 members:

1. One Senator appointed by the President of the Senate;
2. One member of the House of Representatives appointed by the Speaker of the House of Representatives;
3. The Commissioner of Marine Resources or the commissioner's designee;
4. The Director of the State Planning Office or the director's designee; and
5. Four persons chosen from the following list, one appointed by the President of the Senate, one appointed by the Speaker of the House of Representatives and 2 appointed by the Governor:
 - A. A municipal official;
 - B. A representative of the commercial fishing industry;
 - C. A representative of recreational boaters;
 - D. A representative of an environmental organization;
 - E. A representative of a municipal port authority or a designee who may be a harbor master; or
 - F. A representative of a conservation commission.

The President of the Senate, the Speaker of the House of Representatives and the Governor shall coordinate their appointments and promptly notify the Legislative Council of the appointments; and be it further

Sec. 3. Convening of commission. Resolved: That, when the appointment of all commission members is completed, the Chair of the Legislative Council shall call the first meeting not later than June 1, 1990. At the first meeting the members shall elect a chair and other officers; and be it further

Sec. 4. Interstate cooperation. Resolved: That the commission is directed to cooperate fully with officials, legislators and citizens of New Hampshire in the conduct of the study and development of the findings of the commission; and be it further

Sec. 5. Duties. Resolved: That the commission shall meet with members of the commission established by the New Hampshire legislature to:

1. Review the condition of the Piscataqua River;
2. Develop recommendations for actions to improve management of the river;
3. Hold a public hearing within the State to hear the concerns and recommendations on the future of the river; and

4. Recommend any legislation necessary to carry out the commission's findings.

All meetings of the commission must be in the vicinity of the Piscataqua River; and be it further

Sec. 6. Report. Resolved: That the commission shall complete its study and present its findings, together with any recommended legislation, to the 115th Legislature by November 1, 1990; and be it further

Sec. 7. Assistance. Resolved: That the rivers coordinator of the Department of Conservation shall provide any necessary staff assistance for the commission; and be it further

Sec. 8. Compensation. Resolved: That all members who are not state employees are entitled to reimbursement for expenses upon application to the Director of Administrative Services of the Department of Conservation; and be it further

Sec. 9. Grants. Resolved: That the commission is authorized to accept grants and donations to further the purposes of this resolve; and be it further

Sec. 10. Reciprocal legislation. Resolved: That this resolve becomes effective only if similar legislation is enacted in New Hampshire; and be it further

Sec. 11. Funding. Resolved: That the Legislative Council may seek outside sources of funding to finance the study provided in this resolve. The Legislative Council shall administer any outside funds acquired for the conduct of the study. Expenditures may not be incurred that have an impact on the General Fund. Expenditures may not be incurred relative to this study unless the outside sources of funding have been received by the Legislative Council.

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

Effective April 19, 1990.

CHAPTER 90

H.P. 1824 - L.D. 2497

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Piscataquis County for the Year 1990

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

Whereas, Piscataquis 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 1990 hereinafter mentioned be immediately assessed in order to provide the required revenue for the county; and