

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

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

effectiveness of the Coordinated Response System to the Joint Standing Committee on Audit and Program Review, the Joint Standing Committee on Human Resources, the Commissioner of Human Services and the Office of the Executive Director of the Legislative Council at the end of the first 2 years of full operation. The report must contain a specific section on the status and effectiveness of employing videotape to record interviews during the initial assessment phase of child abuse and neglect referrals as well as statistical data and relevant information to guide future decision making in the legislative and executive branches regarding replicating the system in other areas of the State; and be it further

Sec. 9. Personnel. Resolved: That, in regard to engaging law enforcement officers to carry out the purposes of this Act, within the limits of funds available for this purpose the Department of Human Services is authorized to contract with the district attorney for Prosecutorial District Number 5, who shall work in cooperation with state, county and local law enforcement agencies to provide up to 3 law enforcement officers for the initial assessment team of the Coordinated Response System. In regard to other personnel needed to carry out the purposes of this Act, within the limits of the funds available for this purpose the Department of Human Services is authorized to contract for the services of one coordinator for the system, up to 3 caseworkers for the initial assessment team and one clerical position; and be it further

Sec. 10. Allocation. Resolved: That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

1990-91

HUMAN SERVICES, DEPARTMENT OF

Coordinated Response System

Personal Services	\$165
All Other	172,470
Total	<u>\$172,635</u>

Provides funds to establish the Coordinated Response System on a contractual basis. Services to be contracted include personnel, training, evaluation and support services. In addition, funds are provided for per diem and expenses for legislative members of the advisory committee. Funds must be made available from Title IV-E administrative reimbursement.

Aid to Families with Dependent Children - Foster Care

Personal Services	(\$1,155)
All Other	(171,480)
Total	<u>(\$172,635)</u>

Deallocates funds to implement the intent of this resolve.

**DEPARTMENT OF HUMAN SERVICES
TOTAL**

\$ 0

Sec. 11. Effective date. This resolve takes effect January 1, 1991.

Effective January 1, 1991.

CHAPTER 100

S.P. 841 - L.D. 2160

Resolve, to Study Threats to Maine Lakes

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 lakes of the State represent an invaluable natural resource; and

Whereas, the quality of lake water is being threatened by increasing land development; and

Whereas, the study proposed by this resolve must be completed in time for a report to be submitted to the First Regular Session of the 115th Legislature and, therefore, it is essential that this study be initiated 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

Sec. 1. Legislative findings. Resolved: That the Legislature finds the following.

1. Maine has more than 5,000 lakes that represent a natural resource of enormous value to the State's environment, economy and quality of life.

2. Increased development pressures in the watersheds of Maine lakes are resulting in the degradation of lake water quality.

3. Lakes identified by the State as having outstanding resource value are increasingly being threatened by development and water quality problems; and be it further

Sec. 2. Study of threats to Maine lakes. Resolved: That the Commission on Maine Lakes is established to study current and future threats to the quality of Maine lakes; and be it further

Sec. 3. Commission membership; chair. Resolved: That the commission consists of the following 11 members:

1. One Senator serving on the Joint Standing Committee on Energy and Natural Resources, to be appointed by the President of the Senate;
2. Three members of the House of Representatives serving on the Joint Standing Committee on Energy and Natural Resources, to be appointed by the Speaker of the House of Representatives; and
3. One member from each of the following groups, to be appointed by the Governor:
 - A. A planning board member, municipal official or code enforcement officer;
 - B. A water quality expert, fisheries biologist or biologist;
 - C. A member of a lake association;
 - D. A member of a sport alliance;
 - E. A representative of a water utility;
 - F. A representative of marine trades; and
 - G. A Soil and Water Conservation District official.

The commission shall select a chair who shall be a Legislator from its membership; and be it further

Sec. 4. Appointment. Resolved: That the appointing authorities shall make all appointments no later than 30 days following the effective date of this resolve; and be it further

Sec. 5. Duties. Resolved: That the commission shall undertake a study of threats to the future of Maine lakes. As part of the study, the commission shall examine and develop recommendations to address:

1. The increasing levels of phosphorus runoff into Maine lakes and tributaries and the threat this runoff poses to lake water quality;

2. The threats to lake water quality for lakes that serve as public water supplies; and

3. The protection of natural resources on lakes identified by the State as having exemplary qualities.

The commission shall review available information on the increasing levels of phosphorus pollution in Maine lakes, the use of lakes for public water supplies and the identification of lakes with outstanding natural resources. The commission shall examine the experiences of other states which have taken actions to protect lake resources. The commission shall hold 2 public meetings around the State seeking public input on threats to Maine lakes and solutions for addressing those threats; and be it further

Sec. 6. Staff. Resolved: That, at the request of the commission, the Department of Environmental Protection and the Department of Conservation shall provide sufficient staff assistance to carry out these duties; and be it further

Sec. 7. Reimbursement. Resolved: That commission members are entitled to receive legislative per diem pursuant to the Maine Revised Statutes, Title 3, section 2 and to be reimbursed for all expenses. The Executive Director of the Legislative Council shall make disbursements upon request. The Chair of the Legislative Council shall convene the first meeting of the commission no later than 30 days following the effective date of this resolve; and be it further

Sec. 8. Report. Resolved: That the Commission on Maine Lakes shall report its findings, together with any legislative recommendations, to the Joint Standing Committee on Energy and Natural Resources by January 31, 1991; and be it further

Sec. 9. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

	1989-90	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Lake Environmental Protection Fund		
All Other	(\$1,405)	(\$7,925)
Provides for a deappropriation of available funds.		
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Commission on Maine Lakes		
Personal Services	\$605	\$3,025
All Other	800	4,900

Provides funds for the per diem, travel and related expenses of the Commission on Maine Lakes. These funds may not lapse and must be carried forward to June 30, 1991.

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TOTAL	\$1,405	\$7,925

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

Effective April 24, 1990.

CHAPTER 101

H.P. 1637 - L.D. 2270

Resolve, Establishing the Commission to Assess the Impact of Increased State Spending on the University of Maine System

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

Whereas, following the blue ribbon commission report on the University of Maine System in 1986, the Legislature appropriated a supplemental \$15,000,000 "down payment" to the system to address areas of deficiency; and

Whereas, over the intervening years, the Legislature and the public have continued to support extraordinary appropriations and bond issue authorizations for programs and projects of the University of Maine System; and

Whereas, this increased level of financial support indicates the importance the people of the State place on the University of Maine System as an academic, economic development, public service, and cultural resource of the State; and

Whereas, there is need for immediate assessment of the impact of recent spending patterns of the University of Maine System in light of continued increased requests on behalf of the system in order to evaluate the effectiveness of that spending and to prioritize needs for future spending; 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. Commission created and charged. Resolved: That there is created the Commission to Assess the Impact of Increased State Spending on the University of Maine System. The commission shall gather and analyze information concerning the rate of increase of state appropriations to the University of Maine System since 1986 and assess the impact of that increase on the following aspects of the system:

1. Construction of educational facilities;
2. Acquisition of equipment, supplies and services;
3. Impact on the quality, size, turnover and morale of the faculty, including changes in class sizes and student to faculty ratios;
4. Investments to improve the quality of student life;
5. Range of academic offerings;
6. Comparison of increases in administrative costs relative to increases in program and operating costs;
7. Distribution of funds among the campuses; and
8. Other issues determined relevant by the commission; and be it further

Sec. 2. Appointment. Resolved: That the commission consists of 8 voting members and one nonvoting ex officio member appointed in the following manner:

1. Three legislative members to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives;
2. Two students from different campuses of the University of Maine System to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives;
3. Two faculty members from different campuses of the University of Maine System to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives;
4. One member representing the Board of Trustees of the University of Maine System appointed by the trustees; and
5. One nonvoting ex officio representative from the Office of the Chancellor of the University of Maine System to be appointed by the chancellor; and be it further

Sec. 3. Convening of commission. Resolved: That when the appointment of all commission members