

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION
July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
1991

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

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

Effective June 30, 1991.

CHAPTER 42

S.P. 775 - L.D. 1969

Resolve, to Ensure Operation of the Veterans' Memorial Cemetery

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

Whereas, due to the closedown of Maine State Government, the cemetery superintendent of the Veterans' Memorial Cemetery has stopped accepting bodies for burial; and

Whereas, this situation places veterans and their families in an unconscionable position during periods of tremendous loss and grief; 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. Resolved: That the cemetery superintendent shall resume and continue operations of the Veterans' Memorial Cemetery immediately upon the effective date of this resolve; and be it further

Sec. 2. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1991-92

**DEFENSE AND VETERANS' SERVICES,
DEPARTMENT OF**

Positions - Legislative Count	(6.0)
Personal Services	\$45,603
All Other	7,150

Provides funds to continue operation at the Veterans' Memorial Cemetery through September 30, 1991.

**DEPARTMENT OF DEFENSE AND
VETERANS' SERVICES
TOTAL**

\$52,753

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

Effective July 3, 1991.

CHAPTER 43

H.P. 1105 - L.D. 1604

Resolve, to Create a Commission to Study the Need for a Technical College in York County

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 study must be initiated before the 90-day period expires in order that the study may be completed and a report issued in time for submission to the next legislative session; 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. Duties. Resolved: That the Board of Trustees of the Maine Technical College System shall study the need for a technical college in York County. In conducting the study the trustees shall:

1. Examine postsecondary vocational and technical education currently available in York County;
2. Assess the current and future demand of area citizens for postsecondary vocational and technical education in York County;
3. Assess the current and future work force needs of the State's employers;
4. Assess the needs of people who have been traditionally underserved by the Maine Technical College System, including women, minorities and persons with disabilities;
5. Make recommendations to provide postsecondary vocational and technical education in York County that adequately meets the needs of area citizens and the State's employers; and
6. Make recommendations, if appropriate, to establish a York County Technical College of the Maine Technical College System; and be it further

Sec. 2. Report. Resolved: That the Board of Trustees of the Maine Technical College System shall submit its report, together with any necessary implementing

legislation, to the Second Regular Session of the 115th Legislature no later than November 1, 1991.

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

Effective July 5, 1991.

CHAPTER 44

S.P. 548 - L.D. 1452

Resolve, to Create the Commission to Study the History, Status, Impact and Role of Independent Higher Education in Maine

Whereas, independent higher education plays a critical role in the State; and

Whereas, more than 5,000 Maine students annually attend one of the 12 independent institutions of higher education in the State, many in programs not offered by the state-supported institutions; and

Whereas, Maine's future ability to be competitive economically, financially and intellectually depends in large measure on the availability of quality higher education; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission to Study the History, Status, Impact and Role of Independent Higher Education in Maine is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 9 members appointed as follows.

1. The Governor shall appoint 3 members, one of whom must be a member of the Higher Education Council of Maine, and 2 of whom must be business, labor, education or community leaders. Of these members, at least 2 must be graduates of independent institutions of higher education and at least 2 must be residents of the State.

2. The President of the Senate shall appoint 3 members, one of whom must be a member of the Senate and 2 of whom must be business, labor, education or community leaders. Of these members, at least 2 must be graduates of independent institutions of higher learning and at least 2 must be residents of the State.

3. The Speaker of the House of Representatives shall appoint 3 members, 2 of whom must be members of the House of Representatives and one of whom must be a business, labor, education or community leader. Of these members, at least 2 must be graduates of independent institutions of higher education and at least 2 must be residents of the State; and be it further

Sec. 3. Appointments; meetings; chair. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The commission shall select a chair from among its members. When the appointment of the members is completed, the Chair of the Legislative Council shall call the first meeting within 30 days; and be it further

Sec. 4. Duties. Resolved: That the commission shall study the history, status, impact and role of independent higher education in the State and make recommendations for the future role of these institutions. In conducting this study, the commission shall:

1. Examine the historical significance of, as well as the current educational opportunities provided by, independent higher education for the people of this State, including program offerings available to the students of this State, the impact of research programs and teaching activities, the availability of facilities and community programs and student enrollments;

2. Evaluate the capacity of independent higher educational institutions to meet future educational and economic needs of the State and examine how these institutions may work together with state-supported institutions to better serve such needs;

3. Review the mechanisms by which independent higher educational institutions can complement the State's public higher education systems by providing education, research or other services;

4. Evaluate the state student financial aid policy and practice and the extent to which it supports independent higher educational institutions;

5. Analyze the relative cost of independent and public higher education with and without the support of public funds; and

6. Make recommendations on how state policy and law may be changed to provide a more meaningful role for independent higher educational institutions in state educational planning and services; and be it further

Sec. 5. Report. Resolved: That the commission shall submit its report, together with any necessary implementing legislation, to the First Regular Session of the 116th Legislature and the Office of the Executive Director of the Legislative Council by November 1, 1992; and be it further

Sec. 6. Staff assistance. Resolved: That the commission may contract with a consultant to provide professional services in carrying out these duties, subject to section 8. The consultant shall provide clerical assistance to the commission and shall prepare any legislation recommended by the commission. The chair of