

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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  
1993

---

**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

---

O. Recommend funds to the Bureau of the Budget for equalization of educational opportunity; and

**Sec. 2. 20-A MRSA §405, sub-§3, ¶Q**, as amended by PL 1985, c. 797, §10, is further amended to read:

Q. Serve as state agency for administering federal funds for construction of school facilities and for vocational education: ; and

**Sec. 3. 20-A MRSA §405, sub-§3, ¶S** is enacted to read:

S. Develop long-range education goals and standards for school performance and student performance to improve learning results and recommend to the commissioner and to the Legislature a plan for achieving those goals and standards.

**Sec. 4. 20-A MRSA §405, sub-§6**, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**6. Recommendations to Legislature.** The state board shall recommend to the Legislature any new legislation or amendments to existing legislation for the efficient conduct of the public schools and for achieving the education and performance goals and standards and the plan for the public schools developed in accordance with subsection 3, paragraph S.

**Sec. 5. Task force established.** The Task Force on Learning Results, referred to in this legislation as the "task force," is established to assist the State Board of Education in performing the duties set forth in the Maine Revised Statutes, Title 20-A, section 405, subsection 3, paragraph S.

**Sec. 6. Task force membership.** The task force consists of 15 to 20 members, broadly representative of the regions and citizens of the State, appointed by the State Board of Education in consultation with the Joint Standing Committee on Education. The chair of the state board shall serve as chair of the task force.

**Sec. 7. Duties.** The task force shall:

1. Develop goals and a 5-year plan for an education system based on learning achievements; and
2. Develop criteria for student learning derived from the standards established by the State's common core of learning upon which students and schools will be evaluated.

The task force shall establish 2 subcommittees to carry out the duties described in this section.

**Sec. 8. Report.** The task force shall present its report on the goals and the 5-year plan to the State Board

of Education by February 1, 1994. The state board shall present the report, together with any recommended legislation, to the Joint Standing Committee on Education by February 15, 1994.

The task force shall also present a preliminary progress report on the development of standards for student achievement to the state board, which shall present the report and any other findings to the joint standing committee of the Legislature having jurisdiction over education matters by December 1, 1994. The task force shall present its findings on standards for student achievement to the State Board of Education, which shall present the report, together with any recommended legislation, to the joint standing committee of the Legislature having jurisdiction over education matters by March 1, 1996.

**Sec. 9. Staff assistance.** The task force may receive staff and professional assistance from the Department of Education, the Maine Technical College System, the University of Maine System, the Maine Coalition for Excellence in Education, the Maine Teachers Association, the Maine School Management Association, the Maine Chamber of Commerce and Industry, the Legislative Council and other sources.

**Sec. 10. Funding; compensation.** Interested persons and organizations may provide outside sources of funding to finance the activities of the task force. The Legislative Council shall administer outside funds acquired for the conduct of the task force. Expenditures may not be incurred that have an impact on the General Fund. Expenditures may not be incurred relative to the task force until the funding from outside sources has been received by the Legislative Council. Members of the task force are entitled to expenses from that funding upon application to the Executive Director of the Legislative Council.

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

Effective June 8, 1993.

---

## CHAPTER 291

S.P. 198 - L.D. 634

### An Act to Extend the Repeal Date of the Laws Governing Biosynthetic Bovine Somatotropin

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

Whereas, the laws restricting the use or administration of biosynthetic bovine somatotropin, known as BST, will be repealed on February 1, 1993; and

**Whereas**, the repeal on restrictions involving the use or administration of BST needs to be extended until more extensive human and animal safety studies are completed; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. 7 MRSA §3105-A** is enacted to read:

**§3105-A. Restrictions on biosynthetic bovine somatotropin**

A veterinarian or a registered animal technician under the supervision of a veterinarian may use or administer biosynthetic bovine somatotropin, known as BST, for research purposes only. It is unlawful for a person who is not a veterinarian or a registered animal technician under the supervision of a veterinarian to use or administer BST. In addition to other penalties provided by law, if BST is present on a dairy farm, except in possession or control of a veterinarian or a registered animal technician under the supervision of a veterinarian using or administering BST for research purposes, the commissioner shall suspend the farm's operating permit issued under section 2902-A. The suspension may be for a period of up to 30 days and must be in accordance with Title 5, section 10004.

For the purposes of this section, "research" means a class of activities designed to develop or contribute to generalizable knowledge or the accumulation of data that can be corroborated by accepted scientific observation and inferences. A veterinarian using or administering BST for research purposes or supervising a registered animal technician using or administering BST for research purposes subsequent to commercial approval of BST by the federal Food and Drug Administration, pursuant to 21 Code of Federal Regulations, Part 514, must submit to the department prior written notice identifying the owner and location of the animals to which BST will be administered, the explicit objectives of the research and the procedures of investigation designed to reach those objectives. Such notices are public records within the meaning of Title 1, section 402, subsection 3. The department shall provide a copy of such notices to each dealer licensed pursuant to section 2955.

This section is repealed February 1, 1994.

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

Effective June 8, 1993.

## CHAPTER 292

H.P. 739 - L.D. 997

### An Act to Expand the Membership of the Interagency Task Force on Homelessness and Housing Opportunities

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

**Sec. 1. 30-A MRSA §5042, sub-§1**, as amended by PL 1991, c. 780, Pt. DDD, §15, is further amended to read:

**1. Membership.** The Interagency Task Force on Homelessness and Housing Opportunities consists of 21 people appointed as follows:

- A. The commissioners or their designees of:
  - (1) The Department of Human Services;
  - (2) The Department of Labor;
  - (3) The Department of Corrections;
  - (4) The Department of Education;
  - (5) The Department of Economic and Community Development; and
  - (6) The Department of Mental Health and Mental Retardation; and
  - (7) The Department of Agriculture, Food and Rural Resources;
- B. The director of:
  - (1) The Maine State Housing Authority; and
- C. Five persons appointed jointly by the President of the Senate and the Speaker of the House of Representatives as follows:
  - (1) One member to represent a community action agency;
  - (2) One member to represent a nonprofit agency providing shelter to the homeless;
  - (3) One member to represent a nonprofit housing development corporation;
  - (4) One member to represent municipalities; and
  - (5) One member to represent low-income people; and