

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

5. Explore the feasibility of having one interviewer selected jointly by the prosecution and the defense to conduct all interviews required of a child in a child sexual abuse case;

6. Explore the use of 2-way mirrors, videotaping or joint interviews to reduce the number and enhance the quality of interviews; and

7. Propose a standard format for interviewing victims of child sexual abuse.

**Sec. B-4. Staff assistance.** The Department of Human Services and the Attorney General shall provide staffing assistance for the work group.

**Sec. B-5. Compensation.** The members of the work group who are Legislators are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at meetings of the work group. Other members are not entitled to compensation or reimbursement of expenses.

**Sec. B-6. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1997-98

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**Study Commissions - Funding**

Personal Services	\$440
All Other	400

Provides funds for the per diem and expenses of legislative members appointed to a work group examining the legal rights of children who testify in cases in which they have been the alleged victims of sexual abuse.

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**TOTAL** \$840

**Sec. B-7. Report.** The work group shall submit its recommendations, along with any necessary implementing legislation, to the Second Regular Session of the 118th Legislature on or before January 1, 1998.

See title page for effective date.

**CHAPTER 549**

**S.P. 347 - L.D. 1166**

**An Act to Amend the Membership of the Maine Land Use Regulation Commission**

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

**Sec. 1. 12 MRSA §683, first ¶,** as amended by PL 1995, c. 3, §2, is further amended to read:

The Maine Land Use Regulation Commission, as established by Title 5, section 12004-D, subsection 1 to carry out the purposes stated in section 681, is created within the Department of Conservation, and in this chapter called the "commission." The commission is charged with implementing this chapter in all of the unorganized and deorganized areas of the State. The commission consists of 7 public members, none of whom may be state employees, who must be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over conservation matters and to confirmation by the Legislature, for staggered 4-year terms. ~~Among the public members, there must be 4 who must be knowledgeable in at least one of each of the following areas: commerce and industry; fisheries and wildlife; forestry; and conservation.~~ Of the potential appointees to the commission, the Governor shall actively seek and give consideration to persons who are knowledgeable in commerce and industry, fisheries and wildlife, forestry, and conservation. In addition the Governor shall actively seek and give consideration to persons residing in or near the unorganized areas of the State and to persons residing on unorganized coastal islands. At least ~~2~~ 4 members must be residents within the commission's jurisdiction.

**Sec. 2. Application.** The provision of this Act requiring that 4 members of the Maine Land Use Regulation Commission be residents within the commission's jurisdiction must be fully implemented by December 31, 1999. This Act does not require the terms of members serving on the Maine Land Use Regulation Commission on the effective date of this Act to be terminated.

See title page for effective date.

**CHAPTER 550**

**S.P. 445 - L.D. 1419**

**An Act to Clarify the Application of the Sales Tax on Hay and Animal Bedding**

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

**Sec. 1. 36 MRSA §1760, sub-§7**, as amended by PL 1985, c. 460, §§1 and 2, is further amended to read:

**7. Products used in agricultural and aquacultural production, and bait.** Sales of seed, feed, hormones, fertilizer, pesticides, insecticides, fungicides, antibiotics, weed killers, defoliant, litter and medicines used in agricultural and aquacultural production and sales of bait to commercial fishermen. Agricultural production includes the raising and keeping of equines.

**Sec. 2. 36 MRSA §1760, sub-§78** is enacted to read:

**78. Hay and animal bedding.** Sales of hay and organic bedding materials for farm animals.

See title page for effective date.

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**CHAPTER 551**

**H.P. 1130 - L.D. 1586**

**An Act Regarding Reimbursement for Sand and Salt Storage Facility Construction**

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

**Sec. 1. 23 MRSA §1852, 2nd ¶**, as enacted by PL 1993, c. 63, §1, is repealed and the following enacted in its place:

If an owner or operator of a project classified by the Department of Environmental Protection on May 1, 1997 as a Priority 1, 2 or 3 project under Title 38, section 451-A, subsection 1-A has not submitted to the department in writing by October 15, 1997 a preliminary plan and estimate, a notice of a completed or partially completed facility or a notice of a signed contract for imminent construction of a facility, the department may make any funds committed or otherwise obligated to that project under this section and section 1851 available to any constructed Priority 3, 4 or 5 project that is eligible for reimbursement and has sent all required submissions to the department. A project that loses its funding under this paragraph remains eligible for reimbursement at a later date, subject to the subsequent availability of funds.

See title page for effective date.

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**CHAPTER 552**

**H.P. 660 - L.D. 913**

**An Act to Provide Additional Operating Funds for Homeless Shelters**

**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 1995, c. 560, Pt. K, §82 and affected by §83, is further amended to read:

**1. Membership.** The Interagency Task Force on Homelessness and Housing Opportunities consists of ~~24~~ 12 people appointed as follows:

A. The commissioners, a deputy commissioner or their designees an associate commissioner of each of the following departments:

- (1) The Department of Human Services;
- (2) The Department of Labor;
- (3) The Department of Corrections; and
- ~~(4) The Department of Education;~~
- ~~(5) The Department of Economic and Community Development;~~
- (6) The Department of Mental Health, Mental Retardation and Substance Abuse Services; and
- ~~(7) The Department of Agriculture, Food and Rural Resources;~~

B. The director or deputy director of:

- (1) The Maine State Housing Authority;

C. ~~Five~~ Three 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; and
- ~~(3) One member to represent a nonprofit housing development corporation;~~
- (4) One member to represent municipalities; and