

# 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**

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**Sec. 1. 23 MRSA §1852, 2nd ¶**, as enacted by PL 1993, c. 63, §1, is repealed and the following enacted in its place: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

~~(5) One member to represent low income people; and~~

D. ~~Eight~~ **Four** persons appointed by the Governor, at least ~~4~~ **3** of whom must be chosen from a list of nominations provided by a state-wide coalition for the homeless to represent homeless and formerly homeless people and low-income tenants.

**Sec. 2. 30-A MRSA §5044**, as amended by PL 1991, c. 610, §19, is further amended to read:

**§5044. Duties**

The interagency task force shall advise the state authority with respect to the implementation of this chapter and the development of affordable housing. The task force shall:

~~1. Assist in the development of affordable housing plan. Assist the state authority with the development of the affordable housing plan under subchapter 1;~~

~~2. Make recommendations. Make recommendations to the state authority, the Governor and the Legislature with respect to policies, programs and funding under this chapter;~~

~~3. Review programs and policies. Review and examine the plan, programs, policies and funding to determine their effectiveness. The task force shall provide the findings of its review to the persons and organizations set forth in subsection 2;~~

**4. Serve as coordinator of information.** Serve as a coordinator of information and communication among state agencies and among the state, municipal and private sectors with respect to this chapter; and

**5. Assistance to homeless.** In cooperation with the state authority, identify the resources available to the homeless and persons with special needs, identify the gaps in delivery services to this population and make recommendations concerning the policies and programs serving this population.

**Sec. 3. Study.** The Interagency Task Force on Homelessness and Housing Opportunities shall study and provide recommendations to the Legislature and the Governor by December 1, 1997 on:

A. How best to provide affordable housing and homeless shelter services to those homeless persons with mental illness or substance abuse problems; and

B. The future role and responsibilities, if any, of the interagency task force.

The study must include an inventory of the current safety and health requirements, licenses and permits applicable to homeless shelters, including shelters for families, adolescents, adults and victims of domestic violence.

See title page for effective date.

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**CHAPTER 553**

**H.P. 890 - L.D. 1207**

**An Act Concerning Authorization of Educational Technicians**

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

**Sec. 1. 20-A MRSA §13011, sub-§1, ¶C**, as amended by PL 1995, c. 207, §1, is repealed and the following enacted in its place:

C. Authorize educational technicians for service in schools and approve the employment of other semiprofessional personnel;

**Sec. 2. 20-A MRSA §13011, sub-§1, ¶D**, as amended by PL 1995, c. 207, §1, is further amended to read:

D. Seek a revocation of a certificate or authorization in the Administrative Court; and

**Sec. 3. 20-A MRSA §13011, sub-§4**, as enacted by PL 1983, c. 845, §4, is amended to read:

**4. Appeal.** An applicant who has been denied the issuance or renewal of a certificate or authorization by the commissioner under this chapter may appeal that denial in accordance with rules established by the state board and consistent with the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

**Sec. 4. 20-A MRSA §13023** is enacted to read:

**§13023. Educational technician authorization**

**1. Authorization.** The educational technician authorization is a renewable authorization issued to paraprofessional personnel who have achieved minimum educational standards and to those personnel who have been grandfathered into their current positions for work in schools.

**2. Qualifications.** The commissioner shall adopt rules to define the function, preparation and supervision for the different levels of educational technician authorization. Rules adopted under this