

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.

J.S. McCarthy Company
Augusta, Maine
1997

descriptions of the conveyances as described in this resolve.

See title page for effective date.

CHAPTER 18

H.P. 830 - L.D. 1135

Resolve, Regarding Legislative Review of Chapter 374, Rules Regarding the Traffic Movement Standard of the Site Location of Development Law, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Land and Water Quality

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 Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of Chapter 374, Rules Regarding the Traffic Movement Standard of the Site Location of Development Law, a provisionally adopted major substantive rule of the Department of Environmental Protection, Bureau of Land and Water Quality, and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized.

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

Effective May 7, 1997.

CHAPTER 19

H.P. 301 - L.D. 365

Resolve, to Encourage Public Schools to Adopt a Conflict Resolution Model

Preamble. Whereas, recent statistics indicate that 51% of violence in Maine involves family violence, that there has been an increase in violent crimes and violent acts engaged in by Maine youths and that the suicide rate among Maine teens has risen; and

Whereas, the ways that many young people learn to deal with conflict and differences often divide them and inhibit their ability to confront common problems and to deal constructively with differences and conflicts; and

Whereas, through conflict resolution education and peer mediation training, children learn self-respect and respect for others, tolerance of differences and how to communicate their anger, fears and other feelings in a constructive, nonthreatening and nonviolent manner; and

Whereas, many educators are already trying to offer conflict resolution education and peer mediation training in their schools and need the support of the people of Maine in a comprehensive effort to make conflict management an integral part of our public school education; and

Whereas, educators and students can develop conflict resolution skills in a number of ways, including the direct instruction of specific skills, the infusion of concepts and principles into the existing curriculum, the modeling of constructive conflict resolution behavior by teachers and student peers, the development of peer mediation programs and the promotion of school discipline policies and practices that advocate mutual understanding of needs and concerns; now, therefore, be it

Sec. 1. Department of Education authorized to support conflict resolution education initiatives. Resolved: That the Department of Education shall support appropriate conflict resolution education and professional development opportunities for public school teachers, administrators and students in the State. These opportunities must include:

1. Supporting the Maine School Management Association's efforts to promote existing conflict resolution models in our public schools to school board members and superintendents across the State through its newsletter, brochures and the inclusion of a conflict resolution session at its 1997 fall conference;

2. A session focusing on conflict resolution education models in the 1997 program of the Commissioner of Education's summer conference;

3. Continuing the needs assessment and program development initiatives of the department's student assistance team in supporting conflict management and peer mediation programs;

4. Encouraging the department's support team to advocate for the inclusion of conflict resolution and professional development course work as appropriate activities that may be included in the teacher recertification process; and

5. Conducting a survey to determine the status and types of various conflict resolution education and peer mediation models that are currently used in public schools in the State; and be it further

Sec. 2. Reporting date established. Resolved: That the Commissioner of Education shall report findings and any recommendations that result from this survey to the Joint Standing Committee on Education and Cultural Affairs by January 30, 1998.

See title page for effective date.

CHAPTER 20

S.P. 191 - L.D. 609

Resolve, Concerning Reauthorization of the \$9,000,000 Bond Issue for Construction of Water Pollution Control Facilities

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 Treasurer of State may not sell the remaining \$500,000 of bonds not yet issued from the \$9,000,000 pollution control bond issue authorized by the voters in 1990 unless the Legislature reauthorizes the issuance of those bonds; and

Whereas, the Department of Environmental Protection can not meet its obligations with municipalities and quasi-municipal corporations unless the bonds not yet issued are reauthorized; 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. Findings; expiration. Resolved: That the Legislature finds that the authorization for the \$9,000,000 bond issue, approved by the electorate in November 1990 for the construction of pollution control facilities, has expired; and be it further

Sec. 2. Findings; reauthorization necessary. Resolved: That the Legislature further finds that unless the bond issue is reauthorized, the progress in cleaning up the State's waters by municipal dischargers will be seriously hindered and the State will not be able to meet its obligations with municipalities and quasi-municipal corporations; and be it further

Sec. 3. Reauthorization of bonds. Resolved: That the Legislature reauthorizes bonds not yet issued from the \$9,000,000 bond issue for the construction of pollution control facilities for an additional 5-year period from the effective date of this resolve; and be it further

Sec. 4. Appropriation. Resolved: That no additional appropriation is required to carry out the purposes of this resolve.

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

Effective May 12, 1997.

CHAPTER 21

S.P. 315 - L.D. 1055

Resolve, Directing the Office of Tourism and Community Development and the Maine Tourism Commission to Include Lewiston as Part of Southern or South-central Maine and Directing the Maine Turnpike Authority to Change Turnpike Signs to Accurately Reflect Access to the Sunday River Ski Area by Way of Exits 11 and 12

Sec. 1. Lewiston as part of the southern or south-central region of the State. Resolved: That, when recommending or implementing policy guidelines on marketing, promotion and advertising strategies for tourism growth pursuant to the Maine Revised Statutes, Title 5, sections 13090-C, 13090-E and 13090-F, the Office of Tourism and Community Development and the Maine Tourism Commission shall include the City of Lewiston as part of the southern region or the south-central region of the State; and be it further