

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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

**RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE SECOND SPECIAL SESSION OF THE
ONE HUNDRED AND EIGHTEENTH LEGISLATURE
1997**

CHAPTER 117

S.P. 542 - L.D. 1661

**Resolve, to Implement the
Recommendations of the Blue
Ribbon Commission on Hunger and
Food Security**

Sec. 1. Commission established. Resolved: That the Maine Millennium Commission on Hunger and Food Security, referred to in this section as the "commission," is established.

1. Members. The commission consists of 15 members appointed in September 1999 as follows: one Senator from the joint standing committee of the Legislature having jurisdiction over health and human services matters, appointed by the President of the Senate; 3 Representatives from the joint standing committee of the Legislature having jurisdiction over health and human services matters, appointed by the Speaker of the House of Representatives; one representative of the Department of Human Services, appointed by the Commissioner of Human Services; and 10 representatives of the general public, including representatives of business, labor, religion, private nonprofit charitable organizations, low-income organizations and agriculture and antihunger organizations, 4 of whom are appointed by the Governor, 3 by the President of the Senate and 3 by the Speaker of the House of Representatives.

2. Organizational meeting. The commission shall hold an organizational meeting, called by the Chair of the Legislative Council, by December 1, 1999 and shall elect from among the members a chair and a vice-chair for the commission.

3. Duties. The commission shall hold hearings on hunger and food security, which, for the purposes of this section, means access through normal channels to nutrition sufficient for daily life and work, and develop a plan for relieving hunger and ensuring food security for people in the State. The commission shall inquire into the experience of hunger in this State and investigate changes in policies and programs that will enable all citizens of this State to attain food security and to move toward self-reliance. This inquiry must include, but is not limited to, consideration of the reform of public welfare and the role of public and private efforts in achieving food security. The

commission shall evaluate the progress of recommendations made by the Blue Ribbon Commission on Hunger and Food Security.

4. Staff assistance. The Department of Human Services and the Executive Department, State Planning Office shall provide research, clerical and computer assistance to the commission.

5. Reimbursement; mileage. The members of the commission 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 commission upon application to the Executive Director of the Legislative Council for those expenses. Other members of the commission are not entitled to reimbursement for expenses.

6. Report. The commission shall submit a report, together with any necessary implementing legislation, to the First Regular Session of the 120th Legislature by December 15, 2001.

7. Funding. The commission may seek outside sources of funding.

See title page for effective date.

CHAPTER 118

H.P. 1411 - L.D. 1975

**Resolve, to Establish the Commission
on Eating Disorders**

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

Whereas, eating disorders affect a significant number of Maine citizens and their families, endangering the health and happiness of our citizens and their families; and

Whereas, it is in the interest of the State to begin a study commission on eating disorders in a timely manner so that the commission can address the issue thoroughly; and

Whereas, emergency legislation is needed to begin the eating disorders study promptly; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for 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. Commission established. Resolved: That the Commission on Eating Disorders, referred to in this resolve as the "commission," is established to study and propose methods of providing education, prevention services and support to persons with eating disorders and their families; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 19 members appointed as follows:

A. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services or the commissioner's designee, the Commissioner of Human Services or the commissioner's designee and the Commissioner of Education or the commissioner's designee; and

B. The following members appointed by the President of the Senate: one person who has the eating disorder anorexia, one family member of a person with an eating disorder, one person representing college student health interests, one member of the Joint Standing Committee on Health and Human Services and 4 persons who have experience caring for persons with eating disorders representing each of the following professions: clinical professional counselors, psychiatrists, social workers and family health care providers; and

C. The following members appointed by the Speaker of the House of Representatives: one person who has the eating disorder bulimia, one health educator or school nurse, one person representing public health policy issues, 2 members of the Joint Standing Committee on Health and Human Services, one from each major political party, and 3 persons who have experience caring for persons with eating disorders representing each of the following professions: psychiatric clinical nurse specialists, psychologists and dietitians; and be it further

Sec. 3. Appointments; meetings. Resolved: That all appointments must be made no later

than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. When the appointment of all members has been completed, the Chair of the Legislative Council shall call and convene the first meeting of the commission no later than May 30, 1998. The commission shall select a legislative member as chair; and be it further

Sec. 4. Duties. Resolved: That the commission shall study methods of providing education, prevention services and support to persons with eating disorders and their families. The commission shall gather information on the extent of eating disorders in the State and the community and statewide resources available to persons with disorders and their families. The commission shall gather information on eating disorders and shall study the need for education and information for the public, public officials and professionals working in health care. The commission shall study the need for a permanent advisory committee on eating disorders. The commission shall make a report in accordance with section 7; and be it further

Sec. 5. Staff assistance. Resolved: That the Department of Mental Health, Mental Retardation and Substance Abuse Services shall provide staffing and clerical assistance to the commission; and be it further

Sec. 6. Reimbursement. Resolved: That the commission members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the commission and reimbursement for travel and other necessary expenses, upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the commission's budget. Nonlegislator members serve on a voluntary basis; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report with any recommendations and accompanying legislation to the joint standing committee of the Legislature having jurisdiction over health and human services matters and may submit legislation to the First Regular Session of the 119th Legislature by January 1, 1999. The commission may request an extension of the reporting date from the Legislative Council if it finds that it is unable to complete its work by January 1, 1999; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

	1997-98	1998-99
LEGISLATURE		
Commission on Eating Disorders		
Personal Services	\$330	\$1,155
All Other	300	1,550
Provides funds for the per diem and expenses of legislative members and miscellaneous costs, including printing, of the Commission on Eating Disorders.		
LEGISLATURE		
TOTAL	\$630	\$2,705

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

Effective April 13, 1998.

CHAPTER 119

H.P. 1520 - L.D. 2142

Resolve, To Establish the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings

Sec. 1. Commission established. Resolved: That the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 17 members appointed as follows:

1. Two Legislators who are members of the Joint Standing Committee on Education and Cultural Affairs and who jointly chair the commission, one of whom must be a Senator appointed by the President of the Senate, and one of whom must be a member of the House of Representatives appointed by the Speaker of the House;
2. The Commissioner of Education, or the commissioner's designee;
3. The Commissioner of Corrections, or the commissioner's designee;

4. The Commissioner of Human Services, or the commissioner's designee;
 5. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, or the commissioner's designee;
 6. The Attorney General, or the Attorney General's designee;
 7. One member representing parents appointed jointly by the Maine Parents' Federation, Maine Advocacy Services and the Maine Alliance for the Mentally Ill;
 8. One member representing parents whose children attend a public school in the State, appointed by the President of the Senate;
 9. One member who is a student representing a peer mediation group in the State, appointed by the President of the Senate;
 10. Two members representing teachers who are public school teachers in the State, appointed by the Maine Education Association;
 11. One member representing educational technicians in the State, appointed by the Speaker of the House;
 12. One member representing school bus drivers in the State, appointed by the Speaker of the House;
 13. One member representing superintendents in the State, appointed by the President of the School Superintendents Association;
 14. One member representing school principals in the State, appointed by the President of the Maine Principals Association; and
 15. One member representing school boards in the State, appointed by the Maine School Boards Association; and be it further
- Sec. 3. Appointments; meetings. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When the appointment of all members is complete, the Chair of the Legislative Council shall call and convene the first meeting of the commission no later than August 15, 1998; and be it further
- Sec. 4. Duties. Resolved:** That the commission shall study the establishment and the effectiveness of districtwide school disciplinary policies and practices in the State and develop a plan to address the growing concern of violence in the public schools. In