

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

**PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE SECOND REGULAR SESSION OF THE
ONE HUNDRED AND NINETEENTH LEGISLATURE
1999**

CHAPTER 61

H.P. 1784 - L.D. 2504

**An Act to Enhance the Conservation
of Atlantic Salmon**

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

Whereas, immediate enhancement of conservation efforts of Atlantic salmon is necessary to preserve this valuable resource; 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. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1999-00

**ENVIRONMENTAL
PROTECTION,
DEPARTMENT OF**

Land and Water Quality

Positions - Legislative Count	(1.000)
Personal Services	\$45,594
All Other	15,000

Provides for the appropriation of funds for one Biologist I position to carry out the Atlantic salmon conservation plan in the Bureau of Land and Water Quality.

**DEPARTMENT OF
ENVIRONMENTAL**

**PROTECTION
TOTAL**

\$60,594

**ATLANTIC SALMON
COMMISSION**

Atlantic Salmon Commission

All Other	\$750,000
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Provides for the appropriation of funds to support watershed councils, for project grants, land appraisals, land rights for weirs, GIS data base, pollution reduction, lab equipment, code enforcement and scientific and administrative support. This appropriation may not lapse but must be carried forward to June 30, 2002 to be used for the same purposes.

**ATLANTIC SALMON
COMMISSION
TOTAL**

\$750,000

TOTAL APPROPRIATIONS

\$810,594

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

Effective January 26, 2000.

CHAPTER 62

H.P. 1688 - L.D. 2394

**An Act to Allow Limited Access to
Information Relating to Investigation
of Abuse at the Governor Baxter
School for the Deaf**

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

Whereas, the Joint Standing Committee on Judiciary, through its subcommittee, has been reviewing information relating to abuse claims by students of the Governor Baxter School for the Deaf; and

Whereas, much information, including records, relating to previous investigations of abuse at the school is confidential; and

Whereas, it is important that the investigative information be reviewed while the Joint Standing Committee on Judiciary is developing a response to the claims of abuse; 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. Access to information. Notwithstanding any Maine law prohibiting or limiting access to information, including records, relating to previous investigations or allegations of abuse at the Governor Baxter School for the Deaf, the members of the Joint Standing Committee on Judiciary, referred to in this Act as the "committee," may review such information solely for the purpose of developing a response to the claims of abuse. The Governor Baxter School for the Deaf, any department and any agency having records relating to previous investigations or allegations of abuse at the school shall immediately notify the committee and make those records available for review.

Sec. 2. Process. Review of the records must proceed as follows.

1. The members of the committee may review the information and may not disclose the contents except as provided in this Act. The committee shall treat all the information as confidential, unless otherwise instructed by the Attorney General or the court.

2. The following persons have the same access to the information, including records, subject to this Act as the committee and have the right to be present at executive sessions held by the committee: nonpartisan staff assigned to the committee, the Office of the Attorney General and other persons identified by the committee as being involved in previous investigations. A person who has access to confidential information and records under this Act may not make any disclosure outside of the executive session.

3. The committee may use the information in drafting a report, recommendations and legislation as long as this is done in a manner that does not directly or indirectly identify any Governor Baxter School for the Deaf student or student's family member, unless the student or family member has consented to such use in writing. Discussion of identifying information may occur only in executive session pursuant to the Maine Revised Statutes, Title 1, section 405, subsection 6, paragraph F and this Act.

4. The committee shall at all times keep the records in a safe place to which the public does not have access.

5. The committee shall complete review of the information during the Second Regular Session of the 119th Legislature.

6. When the committee has completed its review of records, the committee shall return the records to the provider of the records.

Sec. 3. Immunity. An employee of the State or of the Governor Baxter School for the Deaf is not civilly or criminally liable for providing access to information in compliance with this Act.

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

Effective February 14, 2000.

CHAPTER 63

H.P. 1042 - L.D. 1464

An Act to Amend the No Trespassing Zone Around the Water Intake Pipes of the Portland Water District

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

Sec. 1. P&SL 1913, c. 157, §2, 2nd ¶, as amended by P&SL 1975, c. 132, §2, is further amended to read:

The restricted area is adjacent to surrounds the open end of the 1925 Portland intakes intake, so called, and is bounded on the east and south by the shore of Sebago Lake and on the west and north by an arc, the center of which is a point marked by a stake on the shore of Sebago Lake, which point is midway when measured along said shore from the intersection of said shore and the intake pipe from the 1925 intake and the intersection of said shore and the intake pipe from the 1952 intake, and the radius of which arc is includes the area within an arc whose radius is 3,000