

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2000**

**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.

2000-01

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Maine Seed Potato Board**

All Other	\$65,000
Capital Expenditures	35,000

Appropriates one-time funds for equipment, capital improvements and repairs at the Porter Nuclear Seed Facility. Funds appropriated for this purpose may not lapse but must be carried forward into the next fiscal year to be used for the same purpose.

**DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES**

<b>TOTAL</b>	\$100,000
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See title page for effective date.

**CHAPTER 94**

**S.P. 304 - L.D. 906**

**An Act to Improve Elver Fishery Management**

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

**Whereas,** the 2000 elver fishing season commences on March 22nd; and

**Whereas,** the Legislature's recent actions to limit effort in the elver fishery necessitate research, monitoring, reporting and enforcement activities; and

**Whereas,** it is important that the fishery be managed as a sustainable fishery; 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.

2000-01

**MARINE RESOURCES, DEPARTMENT OF**

**Bureau of Resource Management**

All Other	\$25,000
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Provides a one-time appropriation to support the operational costs of providing research and management of the elver fishery.

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

Effective May 10, 2000.

**CHAPTER 95**

**H.P. 397 - L.D. 528**

**An Act to Implement the Recommendations of the Task Force to Study the Need for an Ombudsman for the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services Relating to the Department of Mental Health, Mental Retardation and Substance Abuse Services**

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

**Sec. 1. Review of child protective policy; rules.** By September 30, 2000, the Department of Human Services, Bureau of Child and Family Services shall review all policies governing child protective services for the purpose of determining those portions

appropriate for adopting rules under the Maine Revised Statutes, Title 5, chapter 375. In conducting this review and determining the portions appropriate for rulemaking, the bureau shall consult with advocates for families and other interested persons. The bureau shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the results of the review. The bureau shall conclude this review and adopt the appropriate rules by June 30, 2001. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

**Sec. 2. Comprehensive information.** By September 30, 2000, the Department of Human Services shall publish a comprehensive pamphlet describing the child protective process and the rights and responsibilities of parents in the child protective system. This pamphlet must be provided to parents in the beginning of the child protective assessment and must include a list of support services available to families to help them reduce risk to children in the home. The pamphlet must be revised and modified as changes are made in policy, rule and law.

**Sec. 3. Review of child protective services.** By September 30, 2000, the Department of Human Services shall convene a multi-disciplinary group that includes representatives of persons involved in the child protective system, including the Child Welfare Advisory Committee, established in the Maine Revised Statutes, Title 22, section 4089, to consider and make recommendations for improvements in the child protective services program. By March 1, 2001, the department shall report the findings and recommendations of the group to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over judiciary matters. The report must include, but is not limited to, recommendations for creating fair and appropriate procedures, consistent with due process, for child protective activities of the department prior to filing a petition under Title 22, subchapter IV, including procedures regarding the substantiation of allegations of abuse and the development and review of child protective services plans.

See title page for effective date.

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**CHAPTER 96**

**H.P. 1778 - L.D. 2492**

**An Act to Ensure Adequate Funding of Adult Education**

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

**Whereas,** adult education is important to the people of this State; and

**Whereas,** more funds are necessary to ensure the availability of education to adults; 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**

**EDUCATION,  
DEPARTMENT OF**

**Adult Education**

All Other	\$78,855
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Provides additional funds to increase the state subsidy for adult education. Any balance remaining at the end of the fiscal year must carry forward to be used for the same purpose in fiscal year 2000-01.

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

Effective May 10, 2000.

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**CHAPTER 97**

**S.P. 933 - L.D. 2383**

**An Act to Help Support the Medical Ride Volunteer Service**

**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.