

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the commission; and be it further

Sec. 10. Reporting date. Resolved: That the commission shall conclude its review and submit a report of its findings and recommendations, along with any suggested legislation, to the Joint Standing Committee on Transportation and to the Commissioner of Transportation by November 15, 1999. If the commission finds it is unable to meet its reporting date, the chairs shall submit to the Legislative Council, in writing, a request for extension of the reporting date, the reasons an extension is requested and a proposed new reporting date prior to the reporting date. The Legislative Council may grant an extension. Upon the submission of its required report, the commission terminates; and be it further

Sec. 11. Commission budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission exceeding its approved budget.

Upon request from the commission, the Executive Director of the Legislative Council or the Executive Director's designee shall provide the commission chairs and staff with a status report on the study budget, expenditures incurred and paid and available funds; and be it further

Sec. 12. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

LEGISLATURE

Commission to Review Traffic Congestion Along the U.S. Route 1 York Corridor

Personal Services	\$1,100
All Other	3,500

Provides funds for the per diem and expenses of legislative members of the Commission to Review Traffic Congestion Along the U.S. Route 1 York Corridor and

funds to hold 2 public meetings and print the required report.

LEGISLATURE

TOTAL \$4,600

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

Effective June 10, 1999.

CHAPTER 65

H.P. 1017 - L.D. 1428

Resolve, to Create the Commission to Study the Enhancement of Fire Protection Services throughout the State

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

Whereas, firefighters provide the State with many valuable services and training, and incentives are crucial to the continued provision of these services; and

Whereas, public safety and public health will be improved for all Maine residents by enhancing fire protection services across the State;

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 to Study the Enhancement of Fire Protection Services throughout the State, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 6 members appointed as follows:

1. The President of the Maine Fire Chiefs Association or the president's designee;
2. The President of the Professional Firefighters of Maine or the president's designee;

3. The President of the Maine State Federation of Firefighters or the president's designee;

4. Two members of the House of Representatives who serve on the Joint Standing Committee on Criminal Justice, appointed by the Speaker of the House; and

5. One member of the Senate who serves on the Joint Standing Committee on Criminal Justice, appointed by the President of the Senate; and be it further

Sec. 3. Chairs. Resolved: That the Senate member serves as the Senate chair and the first House member appointed serves as House chair; and be it further

Sec. 4. Appointments. 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 chairs of the commission shall call and convene the first meeting of the commission no later than 15 days after the final member is appointed; and be it further

Sec. 5. Duties. Resolved: That the commission shall examine and make recommendations concerning:

1. Proposals to strengthen the Office of the State Fire Marshal, including, but not limited to: employing additional fire investigators; providing additional public fire safety education resources; enhancing education opportunities in code management for local public officials and private sector professionals; developing a statewide fire data information system; and promoting the application of the latest investigative technologies;

2. Incentives for more citizens to join and remain active in volunteer and on-call fire departments and to encourage volunteer and on-call firefighters to become better trained and to maintain higher levels of life-saving skills;

3. Approaches to enhance the safety of and reduce the health risk to career firefighters, including, but not limited to: providing insurance coverage for retired firefighters' health care costs; creating opportunities for communities to hire younger firefighters; and providing a mechanism to lower firefighter injury rates and the benefit costs to local communities; and

4. Proposals for strengthening firefighter training and education in Maine communities, including, but not limited to: training more firefighters than are currently trained in local communities statewide;

increasing grant funds available to local communities to support construction of specialized training facilities; providing all firefighters with the opportunity for fire science education and leadership education; providing current training and education materials to local fire departments; providing a one-stop resource center for all firefighters; and supporting the development of fire and emergency leaders throughout the State.

In carrying out its duties, the commission may seek the expertise of the Department of Public Safety, Office of the State Fire Marshal; the Maine Technical College System, Maine Fire Training and Education Program; the Maine State Retirement System; the State Employee Health Commission; the Bureau of Revenue Services; the Bureau of Insurance; the Maine Association of Insurance Companies; and the Maine Municipal Association; and be it further

Sec. 6. Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee; and be it further

Sec. 7. Compensation. Resolved: That legislative members are entitled to receive legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the commission; and be it further

Sec. 8. Reporting date established. Resolved: That the commission shall submit a report with recommendations and any accompanying legislation to the Joint Standing Committee on Criminal Justice by December 1, 1999. If the commission requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension. Following receipt of the report, the Joint Standing Committee on Criminal Justice may report out a bill to the Second Regular Session of the 119th Legislature; and be it further

Sec. 9. Budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission budget. Within 10 days after its first meeting, the commission shall present its work plan and proposed budget to the Legislative Council for approval. The commission may not incur expenses that would result in the commission exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the

study budget, expenditures incurred and paid and available funds; and be it further

Sec. 10. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

LEGISLATURE

Commission to Study the Enhancement of Fire Protection Services throughout the State

Personal Services	\$825
All Other	1,250

Provides funds for the per diem and expenses of legislative members for 5 meetings of the Commission to Study the Enhancement of Fire Protection Services throughout the State and to print the required report.

LEGISLATURE

TOTAL \$2,075

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

Effective June 10, 1999.

CHAPTER 66

S.P. 486 - L.D. 1446

Resolve, to Create the Business Advisory Commission on Quality Child Care Financing

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

Whereas, encouraging and providing financing for quality child care and early education services and facilities is vitally important to economic growth and the well-being of the citizens of this State; and

Whereas, it is therefore important that the Business Advisory Commission on Quality Child Care Financing established by this legislation be appointed

and start its work before the expiration of the 90-day period in order to have sufficient time to complete its work before its reporting deadline; 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 created. Resolved: That the Business Advisory Commission on Quality Child Care Financing, referred to in this resolve as the "commission," is created to examine the important issues of public policy regarding strategies to secure adequate financing of child care facilities and services in order to promote economic growth and the general welfare of the people of this State; and be it further

Sec. 2. Members. Resolved: That the commission consists of 12 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, at least one of whom is a member of the minority party;
2. Two members of the House of Representatives appointed by the Speaker of the House, at least one of whom is a member of the minority party;
3. The Commissioner of Economic and Community Development, or the commissioner's designee;
4. The State Tax Assessor, or the State Tax Assessor's designee;
5. Five members of the public, representing business, education and child care interests, appointed as follows: one member representing business and one member representing education, appointed by the President of the Senate; one member representing child care and one member representing business, appointed by the Speaker of the House; and one member representing business, appointed by the Governor; and
6. A representative from the child care licensing division of the Department of Human Services, appointed by the Commissioner of Human Services; and be it further

Sec. 3. Chairs. Resolved: That the first named Senate member is the Senate chair of the commission and the first named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; first meeting. Resolved: That appointments of the first members of the commission must be made no later than 30 days