

MAINE STATE LEGISLATURE

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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

after the effective date of this section. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. The chairs of the commission shall convene the first meeting of the commission no later than 60 days after the effective date of this section; and be it further

Sec. 5. Quorum. Resolved: That a quorum of the commission is 7 members, and the affirmative vote of at least 7 members of the commission is necessary to conduct business; and be it further

Sec. 6. Duties. Resolved: That the commission has the following duties:

1. Gathering information pertaining to quality child care and early education, the financing of quality child care and early education and economic development incentives available to encourage the development of quality child care and early education facilities and services; and

2. Analyzing the effectiveness of economic development incentives available to encourage the development of quality child care and early education facilities and services in this State and in other states and countries; and be it further

Sec. 7. Staffing. Resolved: That the Department of Economic and Community Development shall provide staff assistance to the commission. Upon request of the chairs of the commission the Legislative Council shall provide assistance with drafting any recommended legislation; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report no later than December 1, 1999 to the Commissioner of Economic and Community Development, the Commissioner of Education, the Commissioner of Human Services, the Joint Standing Committee on Business and Economic Development, the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services including the findings and recommendations of the commission and any proposed legislation regarding the development of quality child care facilities and services and economic development incentives to encourage the development of quality child care facilities and services. If the commission requires a limited extension of time to complete its report, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 9. Compensation. Resolved: That legislative members of the commission are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the commission; 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

Business Advisory Commission on Quality Child Care Financing

Personal Services	\$660
All Other	1,100
Provides funds for the per diem and expenses of legislative members of the Business Advisory Commission on Quality Child Care Financing and to print the required report.	

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TOTAL \$1,760

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

Effective June 10, 1999.

CHAPTER 67

S.P. 697 - L.D. 1972

Resolve, to Establish a Commission to Encourage Incorporations in Maine

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 economic viability of the State can be greatly improved by encouraging businesses to incorporate in Maine; and

Whereas, the Commission to Encourage Incorporations in Maine needs to start its work immediately upon adjournment of the First Regular Session of the 119th Legislature; 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission to Encourage Incorporations in Maine, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 8 members as follows:

1. Three members of the Senate, appointed by the President of the Senate. At least one Senator must be a member of the Joint Standing Committee on Judiciary, and no more than 2 Senators may be from the majority party. The first Senator named serves as the Senate Chair of the commission; and

2. Five members of the House of Representatives, appointed by the Speaker of the House of Representatives. At least 3 Representatives must be members of the Joint Standing Committee on Judiciary, and no more than 4 Representatives may be members from the majority party. The first Representative named serves as the House Chair of the commission; and be it further

Sec. 3. 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 shall call and convene the first meeting of the commission no later than July 30, 1999; and be it further

Sec. 4. Duties. Resolved: That the commission shall study methods of encouraging corporations to incorporate or reincorporate in this State. In undertaking the study, the commission shall:

1. Review recent actions, if any, taken by other states and the effects of such actions;
2. Review other studies and literature related to incorporations;
3. Consult with experts and interested parties;
4. Look for creative incentives to broaden Maine's economic base; and
5. Take any other action it determines appropriate; and be it further

Sec. 5. Staff assistance. Resolved: That, upon approval by the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 6. Reimbursement. Resolved: That the commission members 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, as well as reimbursement for travel and other necessary expenses upon application to the Legislative Council. The chairs of the commission, with assistance from the commission staff, shall administer the study budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for approval. The commission may not incur expenses that result in the commission's exceeding its approved budget.

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

Sec. 7. Report. Resolved: That the commission shall submit its report with any accompanying legislation for the Second Regular Session of the 119th Legislature by December 15, 1999. If the commission requires a limited extension of time to conclude its study and make its report, it may apply to the Legislative Council, which may grant the extension; 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.

1999-00

LEGISLATURE

Commission to Encourage Incorporations in Maine

Personal Services	\$2,200
All Other	2,500

Provides funds for the per diem and expenses of legislative members for 5 meetings of the Commission to Encourage Incorporations in Maine and to print the required report.

LEGISLATURE

TOTAL	\$4,700
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Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 10, 1999.

CHAPTER 68

S.P. 780 - L.D. 2190

Resolve, to Provide for the Implementation of a Maine Meat Inspection Program

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

Whereas, a meat inspection program is needed to help Maine producers located in rural areas of the State compete more successfully; 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. Implementation study authorized. Resolved: That the Department of Agriculture, Food and Rural Resources shall develop a plan to implement a Maine meat inspection program that is at least equal to federal standards for meat inspection. The department shall:

1. Survey existing custom slaughterhouses to assess interest in upgrading their facilities to meet retail standards and assist those interested in developing a plan to upgrade their facilities, including cost estimates for the upgrade;
2. Assess the potential market for custom slaughterhouses to sell Maine-inspected meat to determine the level of business likely to be created by upgrading;
3. Draft legislation to establish a Maine meat inspection program that will allow Maine-inspected meat to be sold in commerce;
4. Develop a plan to finance the implementation of a Maine meat inspection program;
5. Assess potential relationships between a state meat inspection program and the federal meat inspection program and make a recommendation as to the optimal relationship between them; and

6. Work with producers, processors and retailers to develop any other actions or recommendations to increase the volume of Maine-produced meat processed in this State and available for retail sale; and be it further

Sec. 2. Report. Resolved: That the Department of Agriculture, Food and Rural Resources shall report its findings and recommendations, including any legislation necessary to implement those recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 3, 2000. The committee may submit legislation relating to a Maine meat inspection program during the Second Regular Session of the 119th Legislature; and be it further

Sec. 3. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Quality Assurance and Regulation

All Other	\$70,000
Appropriates funds on a one-time basis to research the reinstatement of a Maine meat inspection program.	

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

Effective June 11, 1999.

CHAPTER 69

H.P. 1079 - L.D. 1526

Resolve, to Establish a Task Force to Study Limited Entry in the Shrimp Fishery

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 shrimp fishery has historically been a volatile industry in terms of landings; and