

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**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. Modify 1999 state valuations. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 36, the 1999 state valuation for the City of Westbrook, for the purposes of calculating school appropriations, must be based on a valuation that values the property of Sappi Fine Paper North America in the City of Westbrook at \$140,000,000; and be it further

**Sec. 2. Modify 1999 state valuations. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 36, the 1999 state valuation for the Town of Livermore Falls, for the purposes of calculating school appropriations, must be based on a valuation that values the property of Northeast Empire Limited Partnership in the Town of Livermore Falls at \$23,809,523; and be it further

**Sec. 3. Transfer. Resolved:** That, notwithstanding any other provision of law, at the close of fiscal year 1998-99, the State Controller shall transfer to the General Purpose Aid for Local Schools account in the Department of Education from the available balance in the General Fund after the deduction of all appropriations, financial commitments or other designated funds an amount up to \$795,100 of lapsed balances from the amounts appropriated from the General Fund in fiscal year 1998-99 for the All Other line category. The amount transferred represents the additional school subsidy amounts that result from reducing the state valuation of certain property for the purpose of calculating school subsidy and includes \$705,121 for the City of Westbrook and \$89,979 for the Town of Livermore Falls.

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

Effective June 17, 1999.

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**CHAPTER 78**

**H.P. 76 - L.D. 89**

**Resolve, to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits**

**Emergency preamble.** **Whereas**, Acts and resolves of the Legislature do not become effective

until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, there exist numerous state laws that provide for veterans' benefits that are separately administered by several different state departments and agencies; and

**Whereas**, these laws recognize varying periods of service for eligibility to receive veterans' benefits; and

**Whereas**, these nonstandardized periods of service may prohibit certain veterans from receiving certain benefits under state law; and

**Whereas**, these nonstandardized periods of service have made the administering of veterans' benefits to Maine veterans both inconsistent and confusing, particularly when the periods of service conflict with eligibility requirements under federal law; and

**Whereas**, several matters concerning the burial of veterans, veterans' property tax exemptions, the maintenance of veterans' grave sites, and the types and extent of medical services offered to veterans and their families, among other issues, have been presented to 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 preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Committee established. Resolved:** That the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits, referred to in this resolve as the "committee," is established; and be it further

**Sec. 2. Membership. Resolved:** That the committee consists of the following 13 members:

1. Two members of the Senate who also serve as members of the Joint Standing Committee on Legal and Veterans Affairs, appointed by the President of the Senate;
2. Three members of the House of Representatives who also serve as members of the Joint Standing Committee on Legal and Veterans Affairs, appointed by the Speaker of the House of Representatives; and
3. Eight members who represent the joint standing committees listed in paragraphs A to E. The 8 committee members must be drawn equally from both Houses of the Legislature and from the 2 major political parties. The President of the Senate and the

Speaker of the House shall appoint from their respective Houses committee members who represent the following committees:

- A. The Joint Standing Committee on Health and Human Services;
- B. The Joint Standing Committee on Labor;
- C. The Joint Standing Committee on State and Local Government;
- D. The Joint Standing Committee on Taxation; and
- E. The Joint Standing Committee on Transportation; and be it further

**Sec. 3. Appointment. Resolved:** That appointments must be made within 30 days of the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making the appointments; and be it further

**Sec. 4. Chair. Resolved:** That the first named Senate member is the Senate chair and the first named House of Representatives member is the House chair; and be it further

**Sec. 5. Meetings and working groups. Resolved:** That the cochairs of the committee shall call and convene the first meeting of the committee within 30 days of the date that the last member is appointed. The committee cochairs may form advisory working groups from among affected agencies, veterans organizations and the public to help carry out its responsibilities; and be it further

**Sec. 6. Compensation. Resolved:** That the committee members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the committee. Working group members not otherwise compensated for expenses by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses to attend authorized working group meetings; and be it further

**Sec. 7. Staff. 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. 8. Duties. Resolved:** That the committee shall study the laws of this State that relate to the award of state veterans' benefits and consider alternatives that will codify and standardize the present laws related to eligibility for benefits based on periods of military service. In examining these issues, the committee shall consider all laws of the State that

relate to veterans' benefits, including, but not limited to, those administered by the Department of Defense, Veterans and Emergency Management, the Department of Labor, the Department of Human Services and the Maine State Retirement System. As part of its study, the committee shall:

1. Hold public hearings to gather public comment on veterans' benefit issues. At least one public hearing must be held in each principal region of the State (north, central and south) as determined by the committee chairs;

2. Review and assess all existing laws of the State that contain eligibility criteria for veterans' benefits based on periods of military service, including, but not limited to, laws related to the veterans' property tax exemption, medical care for veterans and their families and veterans' burial. The review and assessment must include the identification of discrepancies and inconsistencies in eligibility criteria based on periods of military service, among other criteria;

3. Identify and assess differences among state and federal laws regarding veterans' benefits eligibility criteria;

4. Identify and consider alternatives for codifying and standardizing laws regarding eligibility criteria for veterans' benefits based on periods of military service, including eligibility issues as related to peace-time veterans; and

5. Recommend appropriate legislation to reflect the findings of the committee; and be it further

**Sec. 9. Report. Resolved:** That the committee shall submit a report that must include its findings, together with any recommended legislation, to the Second Regular Session of the 119th Legislature by December 15, 1999. If the committee 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. 10. Appropriation. Resolved:** That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

## LEGISLATURE

**Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits**

|                   |         |
|-------------------|---------|
| Personal Services | \$4,290 |
| All Other         | 8,300   |

Provides funds for the per diem and expenses of legislative members and the expenses of other eligible members of the Committee to Study Standardized Periods of Military Service and Other matters Related to the Award of State of Maine Veterans' Benefits, to hold 3 public hearings and to print the required report.

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|--------------------------|----------|
| <b>LEGISLATURE TOTAL</b> | \$12,590 |
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**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 17, 1999.

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**CHAPTER 79**

**H.P. 689 - L.D. 956**

**Resolve, to Implement the Recommendations of the Task Force to Study Strategies to Support Parents as Children's First Teachers**

**Sec. 1. Deadline for appointment of additional members to Task Force on Early Care and Education. Resolved:** That, notwithstanding Resolve 1997, chapter 68, section 2, the 2 additional members of the Task Force on Early Care and Education appointed pursuant to this resolve must be appointed no later than 30 days after the effective date of this resolve; and be it further

**Sec. 2. Resolve 1997, c. 68, §§1 and 2, amended. Resolved:** That Resolve 1997, c. 68, §§1 and 2 are amended to read:

**Sec. 1. Task force established. Resolved:** That the Task Force ~~to Study Strategies to Support~~

~~Parents as Children's First Teachers on Early Care and Education~~, referred to in this resolve as the "task force," is established to investigate ways to determine the most efficient and effective strategies to support parents as children's first and most influential teachers; and be it further

**Sec. 2. Membership. Resolved:** That the task force consists of ~~46~~ 18 members as follows:

1. ~~Two~~ Four Legislators jointly appointed by the President of the Senate and the Speaker of the House;
2. The Commissioner of Education, or a designee;
3. The Commissioner of Human Services, or a designee;
4. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, or a designee;
5. One member representing Healthy Start, designated by that program;
6. One member representing Head Start, designated by that program;
7. One member representing the Maine Children's Alliance, designated by the alliance;
8. One member representing the Maine Association of Child Abuse and Neglect Councils, designated by the ~~council~~ association;
9. Three members at large, appointed by the Governor;
10. One member representing elementary education, designated by the Maine Education Association;
11. One member representing the Parents as Teachers Program, designated by that program;
12. One member representing the Child Development Services System, designated by that program; and
13. One member representing the Maine Parent Federation, designated by that program.

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. The Executive Director of the Legislative Council shall contact appointing authorities who have not made their appointments as of the required date; and be it further

; and be it further