

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

CHAPTER 85

H.P. 899 - L.D. 1256

Resolve, to Establish a Task Force to Study the Operation of and Support for the Board of Environmental Protection

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 is an immediate need to review the structure and operation of the Board of Environmental Protection to determine whether the board's decision-making process is fair and responsible; 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. The Task Force to Study the Operation of and Support for the Board of Environmental Protection established. Resolved: That the Task Force to Study the Operation of and Support for the Board of Environmental Protection, referred to in this resolve as the "task force," is established; and be it further

Sec. 2. Membership; chair. Resolved: That the task force consists of no more than 6 members of the Joint Standing Committee on Natural Resources, appointed as follows:

1. No more than 2 members of the Senate, appointed by the President of the Senate; and
2. No more than 4 members of the House of Representatives, appointed by the Speaker of the House.

The first named Senate member is the Senate chair of the task force and the first named House member is the House chair.

Sec. 3. Appointments; convening of task force. 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. Within 15 days after appointment of all members, the chair shall call and convene the first meeting of the task force; and be it further

Sec. 4. Duties. Resolved: That the task force shall review the structure and operation of the Board

of Environmental Protection to determine whether the board is operating as an independent body or as part of the executive branch of government, whether the board has adequate administrative and technical staff and whether the board's structure and operation provide for credible, fair and responsible public participation in the decision-making process. In reviewing the board, the task force shall invite the participation of interested parties, including representatives of environmental groups, representatives of business interests and property owners; and be it further

Sec. 5. Meetings. Resolved: That the task force may hold 5 meetings, and one of the meetings may be a public hearing; and be it further

Sec. 6. Compensation. Resolved: That the members of the task force are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at authorized meetings of the task force; and be it further

Sec. 7. Staff assistance. Resolved: That upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the task force; and be it further

Sec. 8. Task force budget. Resolved: That the chair of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for approval. The task force may not incur expenses that would result in the task force exceeding its approved budget; and be it further

Sec. 9. Report. Resolved: That by December 1, 1999 the task force shall submit a report with its findings to the Joint Standing Committee on Natural Resources. The Joint Standing Committee on Natural Resources shall report out a bill to the Second Regular Session of the 119th Legislature concerning findings of the task force. If the task force 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.

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Task Force to Study the Operation of and Support for the Board of Environmental Protection

Personal Services	\$1,650
All Other	3,000

Provides funds for the per diem and expenses of legislative members of the Task Force to Study the Operation of and Support for the Board of Environmental Protection, one public hearing and printing costs for the required report.

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TOTAL	\$4,650

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

Effective June 17, 1999.

CHAPTER 86

S.P. 725 - L.D. 2045

Resolve, to Establish the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish

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 study of the future of Maine's wildlife and fish is essential to maintaining healthy populations of wildlife and fish in the State; 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 Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish, 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 24 members:

- A. The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee;
- B. The Director of the State Planning Office or the director's designee;
- C. The Commissioner of Environmental Protection or the commissioner's designee;
- D. The Commissioner of Conservation or the commissioner's designee;
- E. Two Legislators appointed by the President of the Senate;
- F. Three Legislators appointed by the Speaker of the House of Representatives;
- G. One member who represents a statewide organization of licensed Maine Guides, appointed by the Governor;
- H. One member who represents a statewide organization of hunters, anglers and trappers, appointed by the Governor;
- I. One member who represents the interests of sporting camp owners, appointed by the Governor;
- J. One member who represents a statewide non-profit organization that specializes in wildlife conservation and natural resource education, appointed by the Governor;
- K. One member who represents a statewide nonprofit organization that specializes in land acquisition to protect the diversity of Maine's native plant and wildlife habitat, appointed by the Governor;
- L. One member who is an economist and who specializes in natural resource economics, appointed by the Governor;
- M. One member who is a professor of wildlife ecology or fisheries, appointed by the Governor;
- N. One member who represents a business that offers ecological tours, appointed by the Governor;
- O. One member with professional wildlife or fisheries experience who represents the interest of a large corporate landowner, appointed by the Governor;
- P. One member who is a writer, publisher or editor who has experience with environmental,