

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

Provides funds for the per diem and expenses of legislative members and the expenses of other eligible members of the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish and to print the required report.

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TOTAL \$8,150
; and be it further

Sec. 11. Allocation. Resolved: That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

	1999-00	2000-01
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
Office of the Commissioner - Inland Fisheries and Wildlife		
All Other	\$500	\$500
Allocates funds to allow the department to provide necessary services to the Citizens' Advisory Committee to Secure the Future of Maine's Wildlife and Fish.		

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

Effective June 17, 1999.

CHAPTER 87

S.P. 643 - L.D. 1825

Resolve, to Establish the Commission to Study Children in Need of Services

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

Whereas, children in need of services are difficult to identify and are sometimes resistant to accepting services and are sometimes endangered by their own behavior; 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 established. Resolved: That the Commission to Study Children in Need of Services, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 15 members appointed as follows.

1. The President of the Senate shall appoint 5 members: one Senator from the joint standing committee of the Legislature having jurisdiction over criminal justice matters, one Senator from the joint standing committee of the Legislature having jurisdiction over education matters, one Senator from the joint standing committee of the Legislature having jurisdiction over health and human services matters, one representative of community-based organizations working with children and their families and one representative of children.

2. The Speaker of the House shall appoint the following 5 members: one Representative from the joint standing committee of the Legislature having jurisdiction over criminal justice matters, one Representative from the joint standing committee of the Legislature having jurisdiction over education matters, one Representative from the joint standing committee of the Legislature having jurisdiction over health and human services matters, one representative of community-based organizations working with children and their families and one representative of parents.

3. The following commissioners or their designees are members: the Commissioner of Human Services; the Commissioner of Education; the Commissioner of Corrections; the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services; and the Commissioner of Public Safety.

4. The first named Senate member is the Senate chair and the first named Representative member is the House chair; 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 September 1, 1999; and be it further

Sec. 4. Duties. Resolved: That the commission shall study truancy problems, children who run away from their homes, emancipation of children and other factors that cause children to be in need of services. In examining these issues, the commission shall consult with children, children's groups and organizations, schools and community-based organizations serving children and their families; and be it further

Sec. 5. Staff assistance. Resolved: The commission may request staffing and clerical assistance from the Legislative Council; and be it further

Sec. 6. Reimbursement. Resolved: That the commission members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses for each day's attendance at 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. The Executive Director of the Legislative Council shall administer the commission's budget; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report with any accompanying legislation to the Joint Standing Committee on Health and Human Services by December 1, 1999. The commission may request an extension of the reporting date from the Legislative Council if it finds that it is unable to complete its work by December 1, 1999; 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 Study Children
in Need of Services**

Personal Services	\$1,320
All Other	2,500
Provides funds for the per diem and expenses of legislative members and expenses for other eligible members for 4 meetings of the Commission to Study Children	

in Need of Services and to print the required report.

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TOTAL \$3,820

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

Effective June 17, 1999.

CHAPTER 88

H.P. 460 - L.D. 623

Resolve, Regarding Legislative Review of Chapter 565: Nutrient Management Rules, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources

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 Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A, requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of Sec. 3(6), 8 and 9 of Chapter 565: Nutrient Management Rules, a provisionally adopted major substantive rule of the Department of Agriculture, Food and Rural Resources, and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized with the following amendment to the rule. A livestock operation requiring a permit under these rules is not required to have a permit prior to January 1, 2000.