

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

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.

The Department of Agriculture, Food and Rural Resources is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve; and be it further

Sec. 2. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

	1999-00	2000-01
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Office of Agricultural, Natural and Rural Resources		
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	\$62,700	\$87,793
All Other	57,300	32,207
Appropriates funds for one Nutrient Management Specialist position, one Agricultural Compliance Officer position and operating costs necessary to administer certain nutrient management rules.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	\$120,000	\$120,000

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

Effective June 17, 1999.

CHAPTER 89

S.P. 763 - L.D. 2155

Resolve, to Establish the Blue Ribbon Commission to Establish a Comprehensive Internet Policy

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 Internet and its use continues to grow and it is essential to ensure delivery of social and economic benefits to the State; and

Whereas, it is necessary to consider what type of statewide computing and communications investment strategy will stimulate public investment and

create more opportunities and incentives for information technology business to locate in the State; and

Whereas, it is imperative to address how to develop and maintain a highly qualified information technology workforce to support business growth; and

Whereas, it is essential to create a business and regulatory policy that will ensure that Maine is an attractive location for information technology companies and their employees; 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 Blue Ribbon Commission to Establish a Comprehensive Internet Policy, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 12 voting members and 6 nonvoting members.

1. The commission consists of 12 voting members as follows:

- A. Three members of the Senate, at least one of whom is a member of the Joint Standing Committee on Business and Economic Development, appointed by the President of the Senate;
- B. Two members of the House of Representatives, at least one of whom is a member of the Joint Standing Committee on Business and Economic Development, appointed by the Speaker of the House;
- C. One representative of the large Internet service providers industry, appointed by the President of the Senate;
- D. One representative of the small Internet service providers industry, appointed by the Speaker of the House;
- E. One representative of the Maine Software Developers Association, appointed by the Speaker of the House;
- F. One representative of the telecommunications industry, appointed by the President of the Senate;
- G. One representative of the cable television industry, appointed by the Speaker of the House;