

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

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

Effective April 5, 2000.

CHAPTER 101

H.P. 868 - L.D. 1225

Resolve, to Direct the Department of Inland Fisheries and Wildlife to Review Rules for Compliance with the Americans With Disabilities Act

Sec. 1. Report. Resolved: That no later than January 1, 2001, the Commissioner of Inland Fisheries and Wildlife shall submit a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the following items:

1. The type and number of unconventional or special privilege licenses currently authorized for issuance by the Department of Inland Fisheries and Wildlife for any type of disability, including a temporary disability;
2. Criteria and standards used by the department to determine eligibility for such licenses;
3. Guidelines for establishing reciprocity with other states on such licenses;
4. Recommendations for improving the promotion of hunting and fishing opportunities in the State to the disabled community;
5. Recommendations on the use of special or group hunts or special seasons for the disabled and on allowing another person to assist a disabled person to hunt or fish; and
6. A discussion of any safety issues that may be associated with hunting or fishing by disabled persons, and recommendations to address any issues identified.

In preparing this report, the commissioner shall consult with the Fisheries and Wildlife Advisory Council, interested parties, the medical community, persons with disabilities and groups representing disabled persons; and be it further

Sec. 2. Legislation authorized. Resolved: That the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters may report out a bill on the issue of expanding hunting and fishing opportunities for persons with a

disability to the First Regular Session of the 120th Legislature.

See title page for effective date.

CHAPTER 102

S.P. 1040 - L.D. 2622

Resolve, Authorizing the Commissioner of Inland Fisheries and Wildlife to Allow a Well and Waterline Easement

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

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 Department of Inland Fisheries and Wildlife holds a conservation easement on a parcel of land adjacent to the Rangeley River in Rangeley; and

Whereas, the conservation easement was acquired from the Rangeley Lakes Heritage Trust with funds from the Land for Maine's Future Fund; and

Whereas, the Department of Environmental Protection desires to install a well on the parcel, said well to serve as a replacement water supply for several area residents whose existing water supplies have been contaminated by oil; 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. Authority to convey easement. Resolved: That, in accordance with the Maine Revised Statutes, Title 5, section 6209, the Commissioner of Inland Fisheries and Wildlife is authorized to enter into an amendment of the conservation easement that the Department of Inland Fisheries and Wildlife holds in the Rangeley River conservation corridor and that was acquired with funds from the Land for Maine's Future Fund. The purpose of the amendment must be to allow a well and waterline easement to be granted by the Rangeley Lakes Heritage Trust in order to provide potable water to residences and businesses served by wells that either are contaminated or in

danger of becoming contaminated by oil that leaked from underground storage tanks in Oquossoc Village.

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

Effective April 7, 2000.

CHAPTER 103

H.P. 1888 - L.D. 2628

Resolve, Regarding Legislative Review of Chapter 6: Certification of Law Enforcement Officers, a Major Substantive Rule of the Maine Criminal Justice Academy

Sec. 1. Disapproval. Resolved: That final adoption of Chapter 6: Certification of Law Enforcement Officers, a provisionally adopted major substantive rule of the Maine Criminal Justice Academy, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is not authorized.

See title page for effective date.

CHAPTER 104

H.P. 1490 - L.D. 2128

Resolve, Regarding Public Health Supervision of Dental Hygienists

Sec. 1. Rule amendment regarding public health supervision of dental hygienists. Resolved: That, by January 1, 2001, the Board of Dental Examiners shall amend the rule regarding public health supervision of dental hygienists in order to provide less restrictive public health supervision of dental hygienists. The rule must be consistent with current standards of patient care and must maintain a supervisory relationship with a dentist licensed in the State. The rule must provide that a dental hygienist practicing under public health supervision in an institutional setting may be directly employed and compensated by the institution for which services are being provided. The purpose of the rule change is to encourage greater utilization of services in institutional, public health and other settings outside a dental office. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

See title page for effective date.

CHAPTER 105

H.P. 1696 - L.D. 2402

Resolve, to Promote Maine's Dairy Industry

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

Whereas, additional funds are necessary on a one-time basis to assist the Maine Dairy Industry Association in performing outreach efforts to assess the interest in forming a cooperative association for dairy farmers; 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. Report. Resolved: That the Maine Dairy Industry Association shall submit a report on the interest of the State's dairy farmers in forming a cooperative association. This report with any accompanying legislation must be submitted to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over agriculture matters no later than November 1, 2000. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over agriculture matters may jointly introduce legislation to the First Regular Session of the 120th Legislature; and be it further

Sec. 2. Allocation. Resolved: That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

1999-00

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Maine Milk Commission

All Other	\$30,000
Provides funds on a one-time basis to the Maine Dairy Industry Association for	