

# 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.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2000**

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.

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## 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.

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## 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	

outreach efforts in order to assess the interest of the State's dairy farmers in forming a cooperative association.

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

Effective April 10, 2000.

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## CHAPTER 106

S.P. 964 - L.D. 2513

### Resolve, Regarding Services for Older Persons with Mental Illness

**Sec. 1. Departmental initiatives. Resolved:** That the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services shall undertake initiatives related to the recommendations of the Joint Advisory Committee on Select Services for Older Persons that reflect the goals outlined in the recommendations and can be accomplished within the budgets of the departments. By February 1, 2001, the departments shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on their progress regarding these initiatives; and be it further

**Sec. 2. Quality assurance. Resolved:** That, within the limits of the appropriated funds, the Department of Mental Health, Mental Retardation and Substance Abuse Services shall adopt quality assurance measures and performance indicators for service providers that reflect the needs and circumstances of older persons. By February 1, 2001, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on progress regarding these measures and indicators; and be it further

**Sec. 3. Joint Advisory Committee on Select Services for Older Persons. Resolved:** That the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services shall provide support for the Joint Advisory Committee on Select Services for Older Persons, referred to in this section as the "advisory committee." The advisory committee shall operate until December 31, 2002. The advisory committee shall study the special needs of older persons, including, but not limited to, services or treatment for mental health, mental retardation, substance abuse and dementia and shall advise the departments on services required to meet those needs. The advisory committee shall monitor the develop-

ment of new initiatives within both departments that serve older persons with special needs. The advisory committee shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on February 1, 2001, August 1, 2001, February 1, 2002, August 1, 2002 and December 31, 2002.

See title page for effective date.

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## CHAPTER 107

H.P. 1691 - L.D. 2397

### Resolve, to Require an Examination of Distributed Generation

**Sec. 1. Examination of distributed generation. Resolved:** That the Public Utilities Commission shall undertake an examination of the issues related to existence and likely spread of the availability and use of local electric generation designed to serve the electrical demands of a single person or a small group of persons within a localized geographic area, referred to in this resolve as "distributed generation." The commission shall examine at least the following:

1. The nature of distributed generation technologies currently available and those in development;
2. Potential impacts on transmission and distribution utilities and their customers;
3. System planning impacts both in the short and long term;
4. The extent to which current law authorizes, limits and affects the use of distributed generation;
5. Safety issues raised by interconnection of distributed generation to transmission and distribution systems; and
6. Policy issues and options related to the following:
  - A. Use of distributed generation by transmission and distribution utilities in lieu of line extensions;
  - B. Use of competitive pricing for distribution services;
  - C. Allowing transmission and distribution utilities or affiliates of transmission and distribution utilities to be directly involved in the distributed generation business;