

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

files a written notice of intent to appeal with the Adjutant General within 30 days of notice that the member is liable for restitution. During the pendency of the appeal, the requirement of restitution is postponed. If the Adjutant General determines that the member, in fact, met the requirements for restitution as described in paragraph A, B or C and that there were not sufficient extenuating circumstances to excuse the failure of the member to complete satisfactorily the course or participation in the Maine National Guard, the Adjutant General shall inform the member of this determination and the member shall make restitution to the Maine National Guard for those courses for which the Adjutant General determines the member is liable. The decision of the Adjutant General is final and may not be appealed.

6. In-state tuition rates. Regardless of the state of residence, a member of the Maine National Guard who has met the requirements of this section and is attending a state postsecondary education institution qualifies for in-state tuition rates; and be it further

Sec. 2. Data-keeping; report. Resolved: That the Department of Defense, Veterans and Emergency Management shall keep and analyze data on the effects of the education assistance pilot program on recruitment and retention of Maine National Guard members. The department shall report to the joint standing committee of the Legislature having jurisdiction over legal and veterans' affairs in January 2001 and 2002; and be it further

Sec. 3. Funding cap. Resolved: That grants may not be made after June 30, 2001 or after the funds allocated in this resolve are exhausted, whichever is later; and be it further

Sec. 4. Application. Resolved: That this resolve applies to school semesters, trimesters, quarters or terms beginning on or after the effective date of this resolve; and be it further

Sec. 5. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

2000-01

**DEFENSE, VETERANS AND
EMERGENCY
MANAGEMENT,
DEPARTMENT OF**

Military Educational Benefits

All Other	\$300,000
Provides one-time funds for the cost of tuition for eligible	

members of the Maine National Guard.

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

Effective May 5, 2000.

CHAPTER 122

S.P. 1067 - L.D. 2660

**Resolve, Authorizing the Refund of
Sales Tax Overpayments to a Maine
Business**

Sec. 1. Refund authorized. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services shall refund to Bond Brothers Hardware, Incorporated the amount of \$8,680 attributable to sales tax overpaid during the period from December 1, 1991 to June 30, 1992; 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.

2000-01

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF**

Miscellaneous Acts & Resolves

All Other	\$8,680
Provides funds for a sales tax refund to Bond Brothers Hardware, Incorporated.	

See title page for effective date.

CHAPTER 123

H.P. 466 - L.D. 629

**Resolve, to Create a Seamless
Treatment Plan for the Juvenile
Offender with Substance Abuse
Problems**

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

Whereas, substance abuse is a serious problem that affects many juveniles who become part of the population of the Department of Corrections; and

Whereas, substance abuse treatment is a critical component of the rehabilitative mission of juvenile corrections; and

Whereas, creating and implementing a comprehensive substance abuse treatment plan as soon as possible is in the best interest of the juveniles, as well as the public; 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. Comprehensive substance abuse treatment program for juvenile offenders. Resolved: That the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse shall continue to develop a comprehensive substance abuse treatment program for juveniles committed to the Department of Corrections' custody. The program must include:

1. Screening, assessment and treatment for all juveniles committed to a juvenile correctional facility;
2. Four regional treatment networks;
3. A targeted capacity expansion program; and
4. Five juvenile drug treatment courts.

The program also must facilitate participation of the juvenile and the juvenile's family and provide a system to monitor treatment progress and completion; and be it further

Sec. 2. Report. Resolved: That the Department of Corrections and the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Substance Abuse shall present a proposal to implement and fund the comprehensive substance abuse treatment program to the joint standing committee of the Legislature having jurisdiction over juvenile justice issues by December 6, 2000.

The proposal must also include a plan for annual reporting to the joint standing committee of the Legislature having jurisdiction over juvenile justice issues on the progress in implementing and providing substance abuse treatment programs.

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

Effective May 8, 2000.

CHAPTER 124

H.P. 1400 - L.D. 2005

Resolve, to Establish the Round Table to Study Economic and Labor Issues Relating to the Forest Products 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, the forest products industry is an integral part of the Maine rural economy and key economic and labor issues must be reviewed to keep the industry competitive; 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. Round table established. Resolved: That the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry, referred to in this resolve as the "round table," is established; and be it further

Sec. 2. Round table membership. Resolved: That the round table consists of 19 members appointed or designated as follows.

1. The Speaker of the House shall appoint 8 members as follows:
 - A. One landowner of less than 1,000 acres in the State;
 - B. One sociologist with expertise in rural issues;
 - C. One independent logger from a region of the State impacted by the H2-A Bonded Labor Program;
 - D. One economist with forestry expertise;
 - E. One owner or representative of a large saw-mill;
 - F. One owner or representative of a small saw-mill; and