

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

JOINT STUDY ORDERS

JOINT STUDY ORDER ESTABLISHING THE TASK FORCE TO STUDY GROWTH MANAGEMENT

S.P. 1090

ORDERED, the House concurring, that the Task Force to Study Growth Management is established as follows.

1. Task force established. The Task Force to Study Growth Management, referred to in this order as the "task force," is established.

2. Appointments. The task force consists of 14 members appointed as follows:

A. One member from the Senate appointed by the President of the Senate. When making the appointment, the President of the Senate shall give preference to a member who serves on the Joint Standing Committee on Natural Resources;

B. Two members from the House of Representatives, at least one of whom is a member a political party that does not hold a majority of seats in that body, appointed by the Speaker of the House;

C. Two members representing environmental interests, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

D. Three members representing municipal interests, 2 of whom are appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

E. Two members representing regional councils, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

F. One member representing a statewide planning association, appointed by the Speaker of the House;

G. One member representing real estate or development interests, appointed by the President of the Senate;

H. One member representing business interests, appointed by the Speaker of the House; and

I. One member representing farming, fishing and forestry industries, appointed by the Speaker of the House.

The Director of the State Planning Office or the director's designee, the Commissioner of Environmental Protection or the commissioner's designee, the Commissioner of Economic and Community Development or the commissioner's designee and the Commissioner of Conservation or the commissioner's designee serve as nonvoting members.

3. Chairs; appointments; convening of task force. The Senate member is the Senate chair and the first named House member is the House chair. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. The chairs of the task force shall call and convene the first meeting of the task force within 30 days of the date the last member is appointed. The task force may hold up to 6 meetings.

4. Duties. The duties of the task force are as follows.

A. The task force shall conduct a targeted review of the growth management laws with the goal of improving the laws to make them more responsive to the issues of sprawl. In its review, the task force shall evaluate whether the growth management program works well in very small municipalities and in municipalities experiencing greater or less growth. The task force shall also consider ways to clarify and improve the State's enabling legislation for impact fees in order to make impact fees useful as a tool to manage growth. The task force shall consider differentiated levels of impact fees based on the costs of infrastructure improvements in different areas and designed to provide an incentive for growth to occur within locally designated growth areas, the effect of impact fees on the affordability of homes, the effect of impact fees on land and real estate values and impact fees related to regional impacts of development such as the cost of regional school facilities. The task force shall develop recommendations to make the growth management laws more effective in controlling sprawl, including recommendations on funding, staffing and statutory changes. In developing its recommendations, the task force shall consider appropriate regional models for growth management.

B. The task force shall establish an advisory working group, including people outside of the task force, to review municipal subdivision law and its impact on local planning and growth management and to consider recommendations to streamline the local review process and to make the law a more effective tool in the planning process. The task force may establish additional advisory working groups as it considers appropriate.

5. Report. The task force shall complete its work by November 1, 2000 and submit its report to the joint standing committee of the Legislature having jurisdiction over natural resources matters. The task force may submit a bill implementing its recommendations for consideration by the First Regular Session of the 120th Legislature. If the task force requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

6. Compensation. Members of the task force who are Legislators are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the task force. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the task force.

7. Staff. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the task force.

8. Budget. The cochairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for approval. The task force may not incur expenses that would result in the task force exceeding its approved budget.

**Passed by the Senate April 27, 2000 and the
House of Representatives April 28, 2000.**

**JOINT STUDY ORDER TO
ESTABLISH A COMMITTEE ON
GASOLINE AND FUEL PRICES**

H.P. 1774

ORDERED, the Senate concurring, that the Committee on Gasoline and Fuel Prices is established as follows.

1. Committee on Gasoline and Fuel Prices established. The Committee on Gasoline and Fuel

Prices, referred to in this order as the "committee," is established.

2. Committee membership. The committee consists of 13 legislative members. The President of the Senate shall appoint 3 members from the Senate and the Speaker of the House of Representatives shall appoint 10 members from the House of Representatives.

3. Chairs. The first Senate member named is the Senate chair and the first House member named is the House chair.

4. Appointments; convening. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the study commission shall call and convene the first meeting of the study commission no later than June 30, 2000.

5. Duties. The committee shall:

A. Gather information on the change in the prices of fuel oil, diesel fuel, propane, kerosene and natural gas;

B. Gather information on the change in gasoline prices;

C. Study and evaluate the effects and impacts of recent price changes on the people of the State; and

D. Identify and recommend appropriate actions the State may take to minimize the effects of price changes or to minimize future price increases that could be detrimental to businesses or the people of the State.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at meetings of the committee.

8. Report. The committee shall submit a report along with any recommended legislation to the Joint Standing Committee on Transportation no later than November 1, 2000. If the committee requires a limited extension of time to make its report, it may apply to the Legislative Council, which may grant the extension. The joint standing committee of the

Legislature having jurisdiction over transportation matters may introduce legislation during the First Regular Session of the 120th Legislature.

9. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds.

Passed by the Senate April 24, 2000 and the House of Representatives April 25, 2000.

**JOINT STUDY ORDER TO STUDY
THE CREATION OF A
PUBLIC/PRIVATE PURCHASING
ALLIANCE TO ENSURE ACCESS
TO HEALTH CARE FOR ALL
MAINE CITIZENS**

H.P. 1857

ORDERED, the Senate concurring, that the Joint Select Committee to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for All Maine Citizens is established as follows.

1. Joint select committee established. The Joint Select Committee to Study the Creation of a Public/Private Purchasing Alliance to Ensure Access to Health Care for All Maine Citizens, referred to in this order as the "committee," is established.

2. Membership. The committee consists of the following 13 members:

A. Three members of the Senate, appointed by the President of the Senate; and

B. Ten members of the House of Representatives, appointed by the Speaker of the House.

When making the appointments, the President of the Senate and the Speaker of the House shall give preference to members from the Joint Standing Committee on Banking and Insurance.

3. Chairs. The first named Senate member is the Senate chair and the first named House of Representatives member is the House chair of the committee.

4. Appointments; convening of committee.

All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members is complete, the chairs shall call the first meeting of the committee no later than June 30, 2000.

5. Duties. The committee shall:

A. Examine the public policy, regulatory and legislative issues related to the creation of a public/private purchasing alliance, including, but not limited to:

- (1) The priorities and objectives of a purchasing alliance;
- (2) The critical mass needed for an alliance to be effective and the possible public entities that could be included in an alliance;
- (3) The ability of private payors such as individuals, small employers and large employers to join an alliance;
- (4) The use of community rating, separate risk pools or other risk adjustment mechanisms in an alliance;
- (5) The governance and administrative structure of an alliance; and
- (6) The benefit structure and choice of health plans that should be offered through an alliance;

B. Review the experience of other states or entities that have established purchasing alliances;

C. Recommend a model and strategies for the establishment of purchasing alliances in this State;

D. Examine the possibility of creating a pilot project for a community-based health plan, including the statutory and regulatory framework for such a project and the need for state funds to cover potential losses incurred by the plan; and

E. Invite the participation of experts and interested parties, including the Department of Professional and Financial Regulation, Bureau of Insurance; Department of Human Services, Bureau of Medical Services; the State Employee Health Commission; the Maine Health Management Coalition; and the University of Southern Maine, Edmund S. Muskie School of Public Service.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at authorized meetings of the committee.

8. Meetings. The committee shall hold 6 meetings, but, if the committee requires additional meetings, it may apply to the Legislative Council, which may approve additional meetings.

9. Report. The committee shall submit a report along with any recommended legislation to the Legislature by December 1, 2000. If the committee requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

10. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds.

**Passed by the Senate April 24, 2000 and the
House of Representatives April 25, 2000.**

**JOINT STUDY ORDER
ESTABLISHING THE JOINT
SELECT COMMITTEE ON
SCHOOL-BASED HEALTH CARE
SERVICES**

H.P. 1864

ORDERED, the Senate concurring, that the Joint Select Committee on School-based Health Care Services is established as follows.

1. Committee established. The Joint Select Committee on School-based Health Care Services, referred to in this order as the "committee," is established.

2. Membership. The committee consists of 5 members appointed as follows:

A. Two members of the Senate appointed by the President of the Senate; and

B. Three members of the House of Representatives appointed by the Speaker of the House.

3. Chairs. The first Senate member named is the Senate chair and the first House member named is the House chair.

4. Appointments; convening of committee. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. When appointment of all members is complete, the chairs of the committee shall call and convene the first meeting of the committee no later than June 30, 2000.

5. Duties. The committee shall:

A. Review the current funding sources for school-based health care services in the State, including the ability of school-based health centers to receive reimbursement for their services from 3rd-party payors;

B. Examine the social and financial impact and the medical efficacy of mandating insurance coverage for school-based health care services with the technical assistance of the Department of Professional and Financial Regulation, Bureau of Insurance;

C. Examine the administrative costs and burdens to school-based health centers regarding billing of public payors and 3rd-party payors for their services;

D. Review the credentialing and other requirements imposed on health care providers and practitioners that relate to the ability of school-based health centers and practitioners in school-based health centers to bill 3rd-party payors or public payors for their services;

E. Recommend strategies for funding school-based health care services, including methods for public funding and 3rd-party reimbursement for school-based health care services; and

F. Invite the participation of experts and interested parties, including the Department of Professional and Financial Regulation, Bureau of Insurance; the Department of Education; and the Department of Human Services, Bureau of Health.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal

Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses for attendance at authorized meetings of the committee.

8. Meetings. The committee shall hold 5 meetings, but, if the committee requires additional meetings, it may apply to the Legislative Council, which may approve additional meetings.

9. Report. The committee shall submit a report along with any recommended legislation to the Legislature by December 1, 2000. If the committee requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

10. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds.

**Passed by the Senate April 24, 2000 and the
House of Representatives April 25, 2000.**

**JOINT STUDY ORDER TO
CREATE A COMMITTEE TO
STUDY FURTHER
DECriminalIZATION OF THE
CRIMINAL LAWS OF MAINE**

H.P. 1914

ORDERED, the Senate concurring, that the Committee to Study the Further Decriminalization of the Criminal Laws of Maine is established as follows.

1. Committee established. The Committee to Study Further Decriminalization of the Criminal Laws of Maine, referred to in this order as the "committee," is established.

2. Membership. The committee consists of 5 members appointed as follows:

A. Two members of the Senate, appointed by the President of the Senate; and

B. Three members of the House of Representatives, appointed by the Speaker of the House of Representatives.

3. Appointments; chairs; convening of committee. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. The first-named Senate member is the Senate chair and the first-named House member is the House chair. When the appointment of all members is complete, the committee chairs shall call and convene the first meeting of the committee no later than June 30, 2000.

4. Duties. The committee shall study further decriminalization of the criminal laws of Maine. In determining whether to decriminalize criminal laws, the committee shall consider:

A. Whether it is appropriate to classify the specific prohibited conduct as criminal, especially as compared to other prohibited conduct;

B. Whether the penalties and punishments are proportioned to the offense as required under the Constitution of Maine; and

C. The consequences of decriminalizing specific crimes.

5. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

6. Reimbursement. The committee members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the committee.

7. Report. The committee shall submit its report with any accompanying legislation to the First Regular Session of the 120th Legislature by November 1, 2000. If the committee requires a limited extension of time to conclude its study and make its report, it may apply to the Legislative Council, which may grant the extension.

8. Committee budget. The committee chairs, with assistance from the committee staff, shall administer the committee budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for approval. The committee may not incur

expenses that would result in the committee's exceeding its approved budget.

Passed by the Senate April 24, 2000 and the House of Representatives April 25, 2000.

**JOINT STUDY ORDER
ESTABLISHING THE
COMMISSION TO STUDY CHILD
ABUSE**

H.P. 1930

ORDERED, the Senate concurring, that the Commission on Child Abuse is established as follows.

1. Commission established. The Commission on Child Abuse, referred to in this order as the "commission," is established to study the prevention of and responses to child abuse.

2. Membership. The commission consists of the following 5 members, each of whom must possess a strong interest or expertise in the problem of child abuse:

A. Two members of the Senate, appointed by the President of the Senate; and

B. Three members of the House of Representatives, appointed by the Speaker of the House.

When making the appointments, the President of the Senate and the Speaker of the House shall give preference to members from the following committees: the Joint Standing Committee on Judiciary, the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Health and Human Services.

3. Appointments; chairs; convening of commission. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. The first named Senate member is the Senate chair and the first named House of Representatives member is the House chair. The first meeting must be called by the chairs no later than June 30, 2000.

4. Duties. The commission shall examine the current policies and public and private programs and resources related to physical and sexual abuse of children.

To this end, the commission may:

A. Hold public hearings to collect information from individuals and organizations to:

1. Define the scope and nature of the problem of child abuse;

2. Consider abuse of children who are now adults, with special emphasis on persons who, as children, were in the care or custody of the State;

3. Identify public and private programs addressing child abuse and child abuse prevention;

4. Identify public and private resources and potential resources to prevent and respond to child abuse;

5. Identify public and private resources for support and treatment of victims of child abuse; and

6. Identify means to coordinate the available programs and resources to prevent and respond to child abuse;

B. Consult with the following:

1. Child abuse clinical experts;

2. Medical care providers;

3. Child abuse prevention specialists;

4. Counselors and therapists with experience in treating child abuse;

5. Teachers and guidance counselors;

6. District attorneys;

7. Legal experts in child abuse prevention and proceedings;

8. The Commissioner of Human Services;

9. The Attorney General; and

10. Any other person that the commission determines would be helpful to the commission's study; and

C. Examine any other issues to further the purposes of the study.

5. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission.

6. Compensation. Members of the commission are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary

expenses for attendance at authorized meetings of the commission.

7. Report. The commission shall submit a report along with any recommended legislation to the 120th Legislature no later than November 1, 2000. If the commission requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

8. Commission budget. The chairs of the commission, with assistance from the commission staff, shall administer the commission budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council or the executive director's designee shall provide the commission chairs and staff with a status report on the commission budget, expenditures incurred and paid and available funds.

**Passed by the Senate April 24, 2000 and the
House of Representatives April 25, 2000.**

**JOINT STUDY ORDER TO STUDY
BOMB THREATS IN MAINE
SCHOOLS**

H.P. 1938

ORDERED, the Senate concurring, that the Joint Study Committee to Study Bomb Threats in Maine Schools is established as follows.

1. Committee established. The Joint Study Committee to Study Bomb Threats in Maine Schools, referred to in this order as the "committee," is established.

2. Membership. The committee consists of the following members:

A. Two members of the Senate, appointed by the President of the Senate; and

B. Four members of the House of Representatives, appointed by the Speaker of the House. When making the appointments, the Speaker of the House shall give preference to members from the following committees: the Joint Standing Committee on Judiciary, the Joint Standing Committee on Criminal Justice, the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on State and Local Government.

3. Chairs. The first named Senate member is the Senate chair and the first named House of Representatives member is the House chair.

4. Appointments; convening committee. All appointments must be made within 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. The chairs of the committee shall call and convene the first meeting of the committee no later than June 30, 2000.

5. Duties. The committee shall study the problem of bomb threats in schools in the State and possible methods of deterring bomb threats in schools, including withholding privileges, such as driver's licenses and other licenses, from a student convicted of or participating in making a bomb threat until the student is 20 years of age.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses for attendance at authorized meetings of the committee.

8. Report. The committee shall report on the issues studied with any recommended legislation for the First Regular Session of the 120th Legislature no later than November 1, 2000. If the committee requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

9. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee's budget, expenditures incurred and paid and available funds.

**Passed by the Senate April 24, 2000 and the
House of Representatives April 25, 2000.**

**JOINT STUDY ORDER TO
ESTABLISH THE COMMITTEE
TO STUDY ACCESS TO PRIVATE
AND PUBLIC LANDS IN MAINE**

H.P. 1951

WHEREAS, this joint study order establishes the Committee to Study Access to Private and Public Lands in Maine; and

WHEREAS, the charge of this committee is vital to the interests of Maine citizens and camp and business owners in this State; and

WHEREAS, the spring and summer months begin the seasons of peak use of the Maine woods for Maine citizens and tourists and, therefore, are the optimal time for the committee to study access issues; now, therefore, be it

ORDERED, the Senate concurring, that the Committee to Study Access to Private and Public Lands in Maine is established as follows.

1. Committee established. The Committee to Study Access to Private and Public Lands in Maine, referred to in this order as the "committee," is established.

2. Committee membership. The committee consists of 2 Senators appointed by the President of the Senate and 3 members of the House appointed by the Speaker of the House. When making the appointments, the President of the Senate and the Speaker of the House shall appoint at least one member of a party that does not hold the majority of seats in that body and shall give preference to members who serve on the Joint Standing Committee on Agriculture, Conservation and Forestry.

3. Committee chair. The first named Senator is the Senate chair of the committee and the first named member of the House is the House chair of the committee.

4. Appointments; convening of committee. All appointments must be made no later than 30 days following the effective date of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the committee shall call and convene the first meeting of the committee, which must be no later than June 30, 2000.

5. Duties. The committee shall hold a minimum of 6 meetings at locations to be determined by the chairs. Geographic locations of meetings must be chosen to accommodate maximum participation by

landowners and people using lands that are the subject of this study. The committee shall gather information and request necessary data from public and private entities in order to:

A. Estimate the number of acres of land owned or controlled by landowners or landowner associations to which access is controlled by checkpoints, gates or other means and estimate the number of people accessing those lands, categorize the various uses of those lands and assess environmental damage and costs to landowners associated with public access to those lands;

B. Determine the number of acres of land managed by the Bureau of Parks and Lands within the Department of Conservation or the Department of Inland Fisheries and Wildlife that are commonly accessed via roads on which checkpoints are located and fees are charged;

C. Review existing fee structures for accessing lands beyond checkpoints operated by landowners or landowner associations and compare these fees and systems of public access to access and fee systems in other states; and

D. Assess the need for legislation to ensure reasonable access to the public resources of this State.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. The members of the committee are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses related to their attendance at meetings to fulfill their duties as charged.

8. Report. The committee shall submit its report together with any recommended implementing legislation to the joint standing committee of the Legislature having jurisdiction over parks and lands matters no later than November 1, 2000. If the committee requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the committee terminates. The joint standing committee of the Legislature having jurisdiction over parks and lands matters may report out a bill during the First Regular Session of the 120th Legislature concerning the findings and recommendations of the committee.

9. Budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first

meeting, the committee shall present a work plan and proposed budget to the Legislative Council for approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council shall promptly provide the committee chairs and staff with a status report on the committee's budget, expenditures incurred and paid and available funds.

Passed by the House of Representatives April 24, 2000 and the Senate May 11, 2000.

**JOINT STUDY ORDER TO
ESTABLISH THE JOINT SELECT
COMMITTEE ON THE
PSYCHIATRIC TREATMENT
INITIATIVE**

H.P. 1955

ORDERED, the Senate concurring, that the Joint Select Committee on the Psychiatric Treatment Initiative is established as follows.

Sec. 1. Committee established. The Joint Select Committee on the Psychiatric Treatment Initiative, referred to in this order as the "committee," is established to work with the interested parties in the community and to report regarding the actions taken by the Department of Mental Health, Mental Retardation and Substance Abuse Services regarding the recommendations for improved community services as described in the executive summary of the report "Maine Inpatient Treatment Initiative: Civil and Forensic."

Sec. 2. Membership. The President of the Senate shall appoint 4 members from the Senate, 2 of whom are not members of the majority party. The Speaker of the House shall appoint 4 members from the House of Representatives, 2 of whom are not members of the majority party. In making the appointments, preference must be given to members of the Joint Standing Committee on Health and Human Services, the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Criminal Justice.

Sec. 3. Appointments; chairs; convening of committee. All appointments must be made no later than August 1, 2000. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. The first named Senate member is the Senate chair and the first named House of Representatives member is the House chair. The first meeting must be called by the chairs no later than September 1, 2000. The committee may meet up to 4 times to carry out its duties.

Sec. 4. Duties. The duties of the committee include:

1. Overseeing the efforts of the Department of Mental Health, Mental Retardation and Substance Abuse Services to address the recommendations for departmental action detailed in pages 24 to 26 of the executive summary of the report "Maine Inpatient Treatment Initiative: Civil and Forensic";

2. Working with community hospitals, community psychiatric hospitals, community providers, consumers of mental health services and interested members of the public; and

3. Reporting on the actions taken by the Department of Mental Health, Mental Retardation and Substance Abuse Services to the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice by November 1, 2000. If the committee requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension.

Sec. 5. Staff assistance. Staffing may be provided by the Office of Policy and Legal Analysis by request of the committee to the Legislative Council, with secondary staffing provided by the Department of Mental Health, Mental Retardation and Substance Abuse Services. The department shall provide information, data and research services as reasonably required by the committee. The committee shall request the assistance of and shall invite to their meetings representatives of the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Human Services and the Department of Corrections.

Sec. 6. Compensation. The members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement of necessary expenses incurred for their attendance at authorized meetings of the committee.

Passed by the House of Representatives April 27, 2000 and the Senate May 11, 2000.
