

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

**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**  
**2001**

**§1660. Report**

**1. Annual report.** Annually by January 15th, beginning in 2003, the Commissioner of Corrections shall submit a report in accordance with this section to the joint standing committee of the Legislature having jurisdiction over criminal justice matters.

**2. Contents.** The report must include the following information for each county corrections facility about releases of inmates from the facility pursuant to sections 1605, 1606 and 1659 during the prior calendar year:

A. The total number of inmates who were granted the privilege of release;

B. The number of inmates that were granted the privilege of release for each of the following purposes and the nature of the crimes committed by those inmates:

- (1) Employment;
- (2) Participation in public works-related projects;
- (3) Participation in a home-release monitoring program; and
- (4) All other purposes;

C. The number of inmates who requested and were denied the privilege of release for each of the following purposes and the nature of the crimes committed by those inmates:

- (1) Employment;
- (2) Participation in public works-related projects;
- (3) Participation in a home-release monitoring program; and
- (4) All other purposes;

D. With respect to each inmate who was granted the privilege of release and who subsequently had the privilege revoked:

- (1) The total number of such inmates;
- (2) The purpose for which the release was granted;
- (3) The entity that revoked the privilege;
- (4) The reasons for the revocation; and
- (5) Whether the revocation was appealed and the result of that appeal; and

E. Any other information that the Commissioner of Corrections believes appropriate to accurately inform the Legislature about sheriffs' handling of release decisions.

See title page for effective date.

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**CHAPTER 172**

**H.P. 1226 - L.D. 1673**

**An Act to Restructure the Kennebec County Advisory Budget Committee**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 30-A MRSA §862, sub-§1,** as amended by PL 1991, c. 533, §3 and affected by §10, is repealed and the following enacted in its place:

**1. Municipal representatives.** Prior to September 15th each year, municipal officers within each commissioner district shall caucus and elect members from that district for terms as provided in paragraph A. There must be 3 members from each commissioner district, 2 of whom are municipal officers and one of whom may be a municipal official who is not a municipal officer as defined in section 2001. No more than one member may represent the same municipality at one time.

A. Members serve for 3-year terms, except that initially each district caucus selects one member for a one-year term, one member for a 2-year term and one member for a 3-year term. If a budget committee member ceases to be a municipal officer or official during the term of membership, that member shall resign the membership and the next district caucus shall elect a qualified municipal officer or official to fill the membership for the remainder of the unexpired term.

See title page for effective date.

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**CHAPTER 173**

**H.P. 879 - L.D. 1171**

**An Act to Authorize the Maine Indian Tribal-State Commission to Organize Assemblies of State and Tribal Leaders**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 30 MRSA §6212, sub-§3**, as amended by PL 1993, c. 600, Pt. A, §24 and affected by §25, is further amended to read:

**3. Responsibilities.** In addition to the responsibilities set forth in this Act, the commission shall continually review the effectiveness of this Act and the social, economic and legal relationship between the Passamaquoddy Tribe and the Penobscot Nation and the State and shall make such reports and recommendations to the Legislature, the Passamaquoddy Tribe and the Penobscot Nation as it determines appropriate.

On an annual basis, the commission shall organize an assembly of governors and chiefs to discuss issues relating to this Act and the relationship between the State and the Indian tribes. The commission shall invite the Governor, the governors and chiefs of all tribal governments in the State and the tribal legislative Representatives to participate in the assembly.

On a biennial basis, during each first regular session of the Legislature, the commission shall organize a tribal-state legislative assembly to discuss issues relating to this Act and the relationship between the State and the Indian tribes. In consultation with the tribal legislative Representatives, the commission shall invite representatives of the Legislature and tribal council members from all tribal governments in the State to participate in the assembly.

Seven members constitute a quorum of the commission and a decision or action of the commission is not valid unless 5 members vote in favor of the action or decision.

**Sec. 2. Effective date; certification.** This Act does not take effect unless, within 60 days after adjournment of the First Regular Session of the 120th Legislature, the Secretary of State receives written notification by the Joint Tribal Council of the Passamaquoddy Tribe and by the Tribal Chief and Council of the Penobscot Nation that the tribe and the nation, respectively, have agreed to the provisions of this Act pursuant to 25 United States Code, Section 1725(e)(1), copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes. In no event may this Act become effective until 90 days after the adjournment of the First Regular Session of the 120th Legislature.

See title page for effective date, unless otherwise indicated.

**CHAPTER 174**

**S.P. 410 - L.D. 1354**

**An Act to Restrict the Use of the Term "Maine Water" to Water From Maine**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 7 MRSA c. 103, sub-c. I-A**, as amended, is further amended by repealing the subchapter headnote and enacting the following in its place:

**SUBCHAPTER I-A**

**FOODS LABELED AS NATURAL, ORGANIC OR FROM MAINE**

**Sec. 2. 7 MRSA §563** is enacted to read:

**§563. Water labeled or advertised as from Maine**

Water may not be labeled or advertised as "Maine water" or "from Maine" if the water is not from a natural source in the State.

See title page for effective date.

**CHAPTER 175**

**S.P. 284 - L.D. 995**

**An Act to Change the Dates for Licensing of Agricultural Fairs and Exhibitions**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 7 MRSA §65**, as amended by PL 1983, c. 180, §3, is further amended to read:

**§65. Licensing of exhibitions**

~~No~~ A person, agricultural society, association or corporation may not hold, conduct or operate agricultural fairs or agricultural exhibitions for competition for premiums or purses within the State without a license for those purposes and only on dates assigned by the commissioner. The application for the license ~~shall~~ must be signed and sworn to by the person or executive officer of a society, association or corporation and ~~shall~~ must contain such information as the commissioner may require. ~~All fair licenses shall be for a period of 3 calendar years following the date of the application. Applications for licenses under this section shall be received by the commissioner not later than November 15th prior to the period during which~~