

# 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**

whom the information belongs or pertains or would result in loss or other significant detriment to that person. The bureau, working with the landowner and the panel of technical experts appointed under subsection 3-A, may publish reports as long as those reports do not reveal confidential information. This subsection is repealed July 1, 2006.

**Sec. 7. 12 MRSA §8879, sub-§1**, as enacted by PL 1997, c. 720, §13, is amended to read:

**1. Content.** The report must describe the condition of the State's forests based on historical information and information collected and analyzed by the bureau for the biennium. The report must provide an assessment at the state level of progress in achieving the standards developed pursuant to section 8876-A, including progress of the outcome-based forestry experiment authorized under section 8003, subsection 3, paragraph Q. The director shall also provide observations on differences in achieving standards by landowner class. The report must summarize importing and exporting of forest products for foreign and interstate activities. The director shall obtain public input during the preparation of the report through public hearings and other appropriate methods.

**Sec. 8. Report to the Legislature on outcome-based forestry.** By December 31, 2005, the Director of the Bureau of Forestry within the Department of Conservation, in consultation with the panel of technical experts established pursuant to the Maine Revised Statutes, Title 12, section 8869, subsection 3-A, shall submit a report to the 122nd Legislature on the feasibility of implementing outcome-based forestry as a basis for forest policy. The report must include the results of the experiment in outcome-based forestry, established in the Maine Revised Statutes, Title 12, section 8003, subsection 3, paragraph Q, and an assessment of the feasibility of this program as an effective means to improve forest management. If the director recommends outcome-based forestry as an effective and desirable means to attain forest policy goals, the report must also include:

1. Justification for establishing such a policy, based on the results of the experiment, including an analysis of the improvements in forest management likely under outcome-based forestry;

2. Steps needed to arrive at broadly supported outcomes, based on the principles of soil productivity; water quality, wetlands and riparian zones; timber supply and quality; aesthetic impacts of timber harvesting; biological diversity; and public accountability;

3. The conditions under which landowners would be allowed to participate in the program and be

exempt from certain rules and regulations, such as bureau approval of outcome-based forestry plans;

4. The bureau's plan to assess compliance with outcome-based forestry plans and to determine thresholds for noncompliance;

5. A discussion of outcome-based forestry's potential to improve public accountability and confidence in forest management, including specific tools that can be used to improve accountability and public confidence in forestry; and

6. An overall implementation plan, including general recommendations, recommendations for statutory changes and regulatory changes and the estimated costs to implement such a plan.

See title page for effective date.

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## CHAPTER 340

H.P. 1331 - L.D. 1788

### An Act to Allow Marine Patrol Officers to Hold Elected Positions

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

**Whereas**, elected municipal officials who are also marine patrol officers are currently required to serve without compensation; and

**Whereas**, it is necessary that this legislation be enacted as an emergency in order that marine patrol officers who have been elected to municipal offices may begin to accept compensation for those elected offices; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §6025, sub-§2**, as amended by PL 1979, c. 541, Pt. B, §14, is further amended to read:

**2. Fees and other offices.** Except before the District Court, officers ~~shall be~~ are allowed the same fees as sheriffs and their deputies for like service which ~~shall~~ must be paid to the commissioner for use of the State. Officers may not hold any other state, county or municipal office for which they receive

compensation, except elected positions in municipal or county government.

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

Effective May 31, 2001.

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**CHAPTER 341**

**H.P. 573 - L.D. 728**

**An Act to Ensure Continued Health Insurance Coverage for the Spouse and Dependents of a Teacher or State Employee who Dies**

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

**Sec. 1. 5 MRSA §285, sub-§3-A** is enacted to read:

**3-A. Coverage under group health insurance plan for spouse and dependents after death of state employee.** If the spouse or other dependents of an employee in any of the categories denominated in subsection 1, paragraphs A to F-5 are covered by the group health plan and the employee dies while employed in that capacity, the spouse or dependent must have the opportunity to continue coverage under the plan after the death of the employee by making the premium payment for the cost of that coverage. In the case of underage dependent children, coverage must be available at least until the dependent children reach 19 years of age.

**Sec. 2. 20-A MRSA §1001, sub-§5-C** is enacted to read:

**5-C. Coverage under group health insurance plan for spouse and dependents after death of teacher.** If the spouse or other dependents of a teacher as defined in Title 5, section 17001, subsection 42 are covered by a policy of group health insurance provided by the school board and the teacher dies while employed by the board, the board shall provide an opportunity for the spouse or dependent to continue coverage under the group policy after the death of the teacher by making the premium payment for the cost of that coverage. In the case of underage dependent children of the teacher, coverage must be provided at least until the dependent children reach 19 years of age.

See title page for effective date.

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**CHAPTER 342**

**H.P. 407 - L.D. 528**

**An Act to Amend the Beano and Games of Chance Laws**

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

**Sec. 1. 17 MRSA §311, sub-§1-B** is enacted to read:

**1-B. Chief of State Police.** "Chief of the State Police" or "chief" means the Chief of the State Police or the chief's designee.

**Sec. 2. 17 MRSA §317-A,** as amended by PL 1999, c. 74, §3, is further amended to read:

**§317-A. Investigations; actions on licenses**

**1. Chief of State Police.** The Chief of the State Police may:

A. Investigate all aspects of this chapter including the direct and indirect ownership or control of any licenses or commercial beano hall permits;

B. Suspend ~~or~~, revoke or refuse to issue a license, after notice of the opportunity for a hearing, if the applicant, applicant's agent or employee, licensee or the licensee's agent or employee violates a provision of this chapter or Title 17-A, chapter 39 or fails to meet the statutory requirements for licensure pursuant to this chapter;

C. Immediately suspend or revoke a license if there is probable cause to believe that the licensee or the licensee's agent or employee violated a provision of Title 17-A, chapter 39;

D. Suspend or revoke a commercial beano hall permit, after notice of the opportunity for hearing, if a permittee or permittee's employee commits murder or a Class A, B or C crime or violates a provision of this chapter or Title 17-A, chapter 15, 29, 37 or 39; ~~and~~

E. Immediately suspend or revoke a commercial beano hall permit if there is probable cause to believe that the permittee or the permittee's employee committed murder or a Class A, B or C crime or violated a provision of Title 17-A, chapter 15, 29, 37 or 39; and

F. Issue a subpoena in the name of the State Police in accordance with Title 5, section 9060, except that this authority applies to any stage of an investigation under this chapter and is not limited