

# 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**

**Whereas**, it is imperative that this legislation take effect in time to allow members of the Maine National Guard to attend classes in the next school year; 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. Resolve 1999, c. 121, §1, sub-§2, amended. Resolved:** That Resolve 1999, c. 121, §1, sub-§2 is amended to read:

**2. Tuition grant for Maine National Guard member.** A Maine National Guard member who meets the prerequisites of subsection 3 is entitled to a 100% tuition grant at any state postsecondary education institution. A member who attends a state regionally accredited private college or university is entitled to a grant of 100% of the tuition at that private college or university or of the tuition at the University of Maine, whichever is less. The Maine National Guard shall provide the cost of tuition to a member who meets the requirements of subsection 3.

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

Effective May 15, 2001.

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**CHAPTER 21**

**H.P. 200 - L.D. 230**

**Resolve, to Provide for the Transfer of Funds to the Tire Management Fund and Require a Plan to Permanently Dedicate Fees Paid When Purchasing a New Tire or Battery to Tire Stockpile Abatement, Remediation and Cleanup**

**Sec. 1. Transfer of Maine Solid Waste Management Fund money to Tire Management Fund. Resolved:** That, in fiscal year 2001-02, the State Controller shall transfer \$570,000 from the Maine Solid Waste Management Fund, established in the Maine Revised Statutes, Title 38, section 2201, to the Tire Management Fund, established in Title 38, section 1316-F. Following the end of fiscal year 2001-02, the State Controller shall transfer 50% of the surplus in the Maine Solid Waste Management Fund to the Tire Management Fund. For the purposes of this section, the term "surplus" means any positive difference between the net revenues deposited into the Maine Solid Waste Management

Fund and the net transfers out of that fund in the same fiscal year; and be it further

**Sec. 2. Implementation plan. Resolved:** That the Commissioner of Environmental Protection and the Director of the State Planning Office within the Executive Department jointly shall prepare an implementation plan to accomplish the legislative goal of permanently dedicating, prior to the end of fiscal year 2004-05, all revenues collected from the fee imposed on the retail sale of tires and batteries to the Tire Management Fund established in the Maine Revised Statutes, Title 38, section 1316-F for tire stockpile abatement, remediation and cleanup. Accordingly, that plan must recommend a process, a timetable and a budget that includes moving all positions in those agencies that are currently funded by those fees to the General Fund, or another recommended funding source, and for concurrently directing those fees to the Tire Management Fund. That implementation plan, timetable and budget must be developed and submitted to the joint standing committee of the Legislature having jurisdiction over natural resources matters not later than January 1, 2003; and be it further

**Sec. 3. Authority to report out bill. Resolved:** That the joint standing committee having jurisdiction over natural resources matters may report out a bill to the First Regular Session of the 121st Legislature pertaining to the use of revenues collected from the fee imposed on the retail sale of tires and batteries; and be it further

**Sec. 4. Allocation. Resolved:** That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

**2001-02**

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Remediation and Waste Management**

All Other	\$570,000
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Allocates additional funds to the Tire Management Fund.

See title page for effective date.

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