

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.

J.S. McCarthy Company
Augusta, Maine
2001

CHAPTER 44

H.P. 1321 - L.D. 1782

Resolve, Regarding Legislative Review of Section 4.04K of Chapter 4: Regulations for Licensing/Certifying of Substance Abuse Treatment Programs in the State of Maine, a Major Substantive Rule of the Department of Mental Health, Mental Retardation and Substance Abuse Services

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 Maine Revised Statutes, Title 5, chapter 375, subchapter II-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of Section 4.04K of Chapter 4: Regulations for Licensing/Certifying of Substance Abuse Treatment Programs in the State of Maine, a provisionally adopted major substantive rule of the Department of Mental Health, Mental Retardation and Substance Abuse Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A, is authorized as long as Section 4.04K is made retroactive to April 20, 2001.

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

Effective May 31, 2001.

CHAPTER 45

H.P. 1279 - L.D. 1739

Resolve, to Implement Additional Recommendations of the MCJUSTIS Board

Sec. 1. Resolve 1997, c. 105, §4, amended. Resolved: That Resolve 1997, c. 105, §4, as amended by PL 1999, c. 790, Pt. D, §12, and affected by §13, is further amended to read:

Sec. 4. Reports. Resolved: That the MCJUSTIS Board shall submit ~~interim reports and proposed legislation to the joint standing committees of the Legislature having jurisdiction over criminal justice matters and judiciary matters by January 1, 1999 and January 1, 2000.~~ The MCJUSTIS Board shall submit a final report and proposed legislation amending the Maine Revised Statutes, Title 17-A to the Legislature and the joint standing committees of the Legislature having jurisdiction over criminal justice matters and judiciary matters by January 31, 2001. The MCJUSTIS Board shall submit proposed legislation amending other criminal and civil violations to the Legislature and to the joint standing committees of the Legislature having jurisdiction over criminal justice matters and judiciary matters by December 15, 2001 and December 15, 2002. The proposed legislation must accomplish the purpose of this resolve without making additional substantive changes to the Maine Revised Statutes. The MCJUSTIS Board may recommend additional legislation. Each committee may report out additional legislation related to the report.

; and be it further

Sec. 2. Retroactivity. Resolved: That the section of this resolve that amends Resolve 1997, c. 105, §4 applies retroactively to January 31, 2001.

See title page for effective date.

CHAPTER 46

H.P. 1311 - L.D. 1774

Resolve, Regarding Legislative Review of Chapter 299: Highway Driveway and Entrance Rules, Parts A and B, a Major Substantive Rule of the Department of Transportation

Sec. 1. Adoption. Resolved: That final adoption of Chapter 299: Highway Driveway and Entrance Rules, Parts A and B, a provisionally adopted major substantive rule of the Department of Transportation, that has been submitted to the