

# 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 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 55****S.P. 283 - L.D. 994****Resolve, to Provide a Process for Amending the Cost-sharing Method Used in School Administrative District No. 33**

**Sec. 1. Commissioner of Education to develop alternative dispute resolution process for School Administrative District No. 33. Resolved:** That the Commissioner of Education shall provide an alternative dispute resolution process for resolving the dispute between the representatives of St. Agatha and Frenchville in the 2-member district of School Administrative District No. 33 and amending the cost-sharing formula of the district. This process is meant to encourage, and not to substitute for, voluntary reconsideration of the method of sharing costs as provided in the Maine Revised Statutes, Title 20-A, section 1301, subsection 3; and be it further

**Sec. 2. Application; definition. Resolved:** That this resolve applies to only reconsideration of the method of sharing the costs of operating the school administrative district, subject to the Maine Revised Statutes, Title 20-A, section 1301, between the 2 municipalities comprising School Administrative District No. 33. For the purposes of this resolve, the term "party" means a municipal representative chosen pursuant to Title 20-A, section 1301, subsection 3 to represent either St. Agatha or Frenchville; and be it further

**Sec. 3. Notice; final negotiation; final offer. Resolved:** That, within 15 calendar days following the last meeting of the parties, either party may notify the Commissioner of Education that it believes that a change in the method of sharing the costs of operating the district will not be approved pursuant to the Maine Revised Statutes, Title 20-A, section 1301, subsection 3, paragraph C. All reconsideration of amending the cost-sharing formula of the district must cease and each party shall submit in writing to the Commissioner of Education a final offer consisting, at a minimum, of the party's final offer, a draft of the proposed method of sharing the costs of operating the district and any other pertinent material. The Commissioner of Education shall provide copies of each party's written final offer to the arbitrator selected pursuant to section 4 of this resolve; and be it further

**Sec. 4. Selection of arbitrator. Resolved:** That, not later than 45 calendar days following the last meeting of the parties, the Commissioner of Education or the commissioner's representative shall meet with the parties and shall present a list with the names of 3 proposed neutral arbitrators. Each party may strike

from the list one name peremptorily. The parties shall strike names alternately and the party entitled to strike the first name must be chosen by lot. The one name remaining after each party has struck one name is the arbitrator. The district is responsible for compensating the arbitrator and for any reasonable expenses incurred by the arbitrator in fulfilling the powers described in section 5 of this resolve; and be it further

**Sec. 5. Powers of arbitrator. Resolved:** That the powers of the arbitrator are as follows.

1. The arbitrator may hold hearings and administer oaths, examine witnesses and documents, take testimony and receive evidence and issue subpoenas to compel the attendance of witnesses and the production of records. The arbitrator may petition the District Court to enforce its order compelling the attendance of witnesses and the production of records.

2. The arbitrator may at no time engage in an effort to mediate or otherwise settle the dispute in any manner other than that prescribed in this section.

3. Not later than 90 days following the last meeting of the parties, the arbitrator shall choose the final offer of one party. The contractual language for that offer, submitted pursuant to section 3 of this resolve, must be prepared in a written proposal to change the method of sharing the costs of the district, which must be presented to the parties; and be it further

**Sec. 6. Effect of final offer selected by arbitrator; district referendum. Resolved:** That the final offer selected by the arbitrator presented to the parties pursuant to section 5 of this resolve is not binding on the parties unless it is approved by a majority vote of the district pursuant to the Maine Revised Statutes, Title 20-A, section 1301, subsection 3, paragraph D. Notwithstanding Title 20-A, section 1301, subsection 3, paragraph C, the final offer selected by the arbitrator must be presented to the voters of the 2 municipalities at a district meeting pursuant to Title 20-A, section 1301, subsection 3, paragraph D; and be it further

**Sec. 7. State Board of Education to review effectiveness of alternative dispute resolution process used by School Administrative District No. 33. Resolved:** That the State Board of Education shall review the alternative dispute resolution process implemented to resolve the dispute between the representatives of St. Agatha and Frenchville in the 2-member district of School Administrative District No. 33 and related to amending the cost-sharing formula of the district. Within 180 calendar days following the district referendum on the proposed amendment to the method of sharing costs in the district, the State Board of Education shall

review the process and evaluate the potential for alternative dispute resolution processes by encouraging 2-member districts to resolve disputes to reconsider the method of sharing costs as provided in the Maine Revised Statutes, Title 20-A, section 1301, subsection 3. The State Board of Education shall report its findings and any recommendations to the Joint Standing Committee on Education and Cultural Affairs by April 15, 2002. The committee may report out legislation regarding the alternative dispute resolution process to the Second Regular Session of the 120th Legislature.

See title page for effective date.

## CHAPTER 56

S.P. 636 - L.D. 1816

### Resolve, Regarding Pharmacists and Pharmaceutical Benefits

**Sec. 1. Study regarding pharmacists. Resolved:** That the Department of Professional and Financial Regulation, Bureau of Insurance shall undertake a study of the implications of including pharmacists as health care practitioners under the Maine Revised Statutes, Title 24, chapter 21. In conducting the study, the bureau shall solicit information from the Maine Pharmacy Association and the Maine Board of Pharmacy. The bureau shall report the results of the study to the Joint Standing Committee on Health and Human Services by January 1, 2002 and shall include any recommendations from the bureau; and be it further

**Sec. 2. Study regarding pharmaceutical benefits. Resolved:** That the Department of Professional and Financial Regulation, Bureau of Insurance shall undertake a study of the feasibility, costs and implications of establishing by rule a standardized pharmaceutical benefits identification card for issuance by health coverage providers that provide pharmaceutical benefits, including insurers, health maintenance organizations and other providers of health coverage. The bureau shall solicit information from the Maine Pharmacy Association and the Maine Board of Pharmacy. The bureau shall report the results of the study to the Joint Standing Committee on Health and Human Services by January 1, 2002 and shall include any recommendations from the bureau.

See title page for effective date.

## CHAPTER 57

S.P. 385 - L.D. 1282

### Resolve, to Change Route Designations of Certain Interstates and to Change the Interstate Exit Numbering System

**Sec. 1. Interstate designations. Resolved:** That the Department of Transportation shall work with the Federal Highway Administration, the American Association of State Highway and Transportation Officials and the Maine Turnpike Authority to redesignate the Maine Turnpike I-495 from Falmouth to West Gardiner as I-95; the Falmouth spur of the Maine Turnpike to I-495; and I-95 from Falmouth to West Gardiner as I-495; and be it further

**Sec. 2. Interstate exit numbering system. Resolved:** That the Department of Transportation shall work with the Federal Highway Administration, the American Association of State Highway and Transportation Officials and the Maine Turnpike Authority to change Maine's interstate exit numbering system to one in which mile markers determine exit numbers.

See title page for effective date.

## CHAPTER 58

H.P. 182 - L.D. 193

### Resolve, to Establish a Centralized Voter Registration List for the State

**Preamble. Whereas,** there currently exists no statewide voter registration list for the State; and

**Whereas,** voter registration lists for the State are currently maintained by 520 separate municipal jurisdictions in varying forms, including a variety of databases, typed lists and handwritten lists; and

**Whereas,** the Federal Election Commission in its 1997 Report to Congress on the impact of the National Voter Registration Act of 1993 highly recommends that states that have not yet done so voluntarily develop and implement a statewide computerized voter registration database; ensure that all local registration offices are computerized; and link their statewide computerized systems, where feasible, with the computerized systems of the collateral public agencies relevant to the National Voter Registration Act of 1993; and