

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

SECOND REGULAR SESSION
January 2, 2002 to April 25, 2002

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 25, 2002

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
2002

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

Effective April 11, 2002.

CHAPTER 119

S.P. 825 - L.D. 2205

Resolve, to Adjust the Valuation of St. John Plantation as a Result of a Fire

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, on the weekend of March 16th and 17th, 2002, a devastating fire broke out in St. John Plantation; and

Whereas, as a result of the fire, the area has experienced a sudden and severe disruption of valuation; and

Whereas, absent this special legislation, there would be no avenue for the State to calculate an adjusted state valuation for St. John Plantation for the year 2002; 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. State valuation for St. John Plantation for year 2002. Resolved: That, due to the sudden and devastating fire that began in St. John Plantation the weekend of March 16th and 17th, 2002, notwithstanding the Maine Revised Statutes, Title 36, section 208 or 208-A, the State Tax Assessor shall reduce the state valuation for St. John Plantation for the year 2002 to \$10,630,000; and be it further

Sec. 2. State valuation for St. John Plantation for year 2003. Resolved: That St. John

Plantation may request a reduction in its state valuation under the Maine Revised Statutes, Title 36, section 208-A for the year 2003 based on the reduction in value of the sawmill owned by Irving Forest Products without meeting the threshold of the statewide average tax rate under Title 36, section 208-A, subsection 2, paragraph C.

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

Effective April 11, 2002.

CHAPTER 120

H.P. 1735 - L.D. 2214

Resolve, to Establish and Fund the Task Force on Rail Transportation

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

Whereas, it is imperative that the study authorized in this legislation begin immediately so that the report may be made in a timely manner; 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. Task force established. Resolved: That the Task Force on Rail Transportation, referred to in this resolve as the "task force," is established to develop a rail transportation policy for the State; and be it further

Sec. 2. Membership. Resolved: That the task force consists of 13 members appointed as follows:

1. Two members of the Joint Standing Committee on Appropriations and Financial Affairs, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

2. Three members of the Joint Standing Committee on Business and Economic Development, 2 of whom are appointed by the President of the Senate and one of whom is appointed by the Speaker of the House;

3. Three members of the Joint Standing Committee on Transportation, one of whom is appointed by the President of the Senate and 2 of whom are appointed by the Speaker of the House;

4. One member representing the Board of Directors of the Maine Port Authority, appointed by the President of the Senate;

5. One member representing railroad shippers, appointed by the Speaker of the House;

6. One member representing an airport that currently is integrated with an existing rail system, appointed by the President of the Senate;

7. One member representing the Northern New England Passenger Rail Authority, appointed by the Speaker of the House; and

8. One member representing a private railroad in Maine, appointed by the Speaker of the House; and be it further

Sec. 3. Task force chairs. Resolved: That the first named Senator is the Senate chair of the task force and the first named member of the House is the House chair of the task force; and be it further

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days after the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force, which must be no later than June 15, 2002; and be it further

Sec. 5. Duties. Resolved: That the task force shall:

1. In cooperation with the Commissioner of Transportation, develop a rail transportation policy and plan that integrates rail, highway, marine and air transportation into an efficient and cohesive system for the entire State that best meets the needs of Maine citizens and Maine businesses;

2. Develop visions for an integrated transportation system to be established in 5 and 10 years, and beyond, as far as practicable, and develop the steps that must be taken to achieve each vision within each specified time period;

3. Develop emergency and backup plans for railroads that are confronted with the possibility of bankruptcy, significant financial problems or significant reductions in service;

4. Review and evaluate current transportation system policies and plans;

5. Identify any obstacles to the successful implementation of current and proposed transportation system policies and plans;

6. Determine the resources, including "personal services," "capital" and "all other" funding, needed to achieve each vision, including the means by which these resources can be made available; and

7. Create a plan for educating the Legislature and the public with respect to the transportation plans and policies developed by the task force; and be it further

Sec. 6. Meetings. Resolved: That the task force may meet a maximum of 4 times; and be it further

Sec. 7. Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the task force; and be it further

Sec. 8. Compensation. Resolved: That members of the task force are entitled to receive the legislative per diem and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the task force. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the task force; and be it further

Sec. 9. Report. Resolved: That the task force shall submit a report that includes its findings and recommendations, to the Legislative Council by November 6, 2002; and be it further

Sec. 10. Extension. Resolved: That, if the task force requires a limited extension of time to complete its study and make its report, it may apply to the Legislative Council, which may grant an extension. Upon submission of its required report, the task force terminates; and be it further

Sec. 11. Budget. Resolved: That the chairs of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget. Upon request from the task force, the Executive Director of the Legislative Council or the executive director's designee shall promptly provide the task force chairs and staff with a

status report on the task force's budget, expenditures incurred and paid and available funds; and be it further

Sec. 12. Funding. Resolved: That, notwithstanding the Maine Revised Statutes, Title 23, section 7103, the State Controller shall transfer \$6,260 from the Railroad Preservation and Assistance Fund under the Maine Revised Statutes, Title 23, section 7103 to the Legislature to fund the task force. These funds must be used for all costs incurred to pay the per diem and expenses of members of the task force who are Legislators and members who are not otherwise compensated by their employers or other entities that they represent, the costs to print the task force report and other related costs; and be it further

Sec. 13. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Task Force on Rail Transportation

Initiative: Provides funds for the per diem and expenses for Legislators and other eligible members of the Task Force on Rail Transportation and to print the required report.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	\$0	\$2,860
All Other	0	3,400
Total	\$0	\$6,260

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

Effective April 11, 2002.

CHAPTER 121

H.P. 370 - L.D. 472

Resolve, to Establish a Fatherhood Issues Study Commission

Sec. 1. Commission on Fatherhood Issues established. Resolved: That the Commission on Fatherhood Issues, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 9 members:

1. Two members of the Senate, appointed by the President of the Senate, one of whom is a member of the Joint Standing Committee on Judiciary and one of whom is a member of the Joint Standing Committee on Health and Human Services;

2. Three members of the House of Representatives, appointed by the Speaker of the House of Representatives, at least one of whom is a member of the Joint Standing Committee on Judiciary and at least one of whom is a member of the Joint Standing Committee on Health and Human Services;

3. Two public members appointed by the President of the Senate; and

4. Two public members appointed by the Speaker of the House; and be it further

Sec. 3. Chairs. Resolved: That the first named Senate member is the Senate chair of the commission and the first named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by the appointing authorities once the selections have been made. When the appointment of all members has been completed, the chairs of the commission shall convene the first meeting of the commission no later than August 21, 2002. The chairs of the commission shall call no more than 4 meetings; and be it further

Sec. 5. Duties. Resolved: That the commission shall study issues associated with being a father in the State.

1. In conducting the study, the commission shall:

A. Determine the multiple barriers to fathers' involvement in the lives of their children;

B. Identify the availability of private and public services statewide to enhance the parenting abilities of fathers;

C. Identify significant personal, institutional, legal and cultural barriers to active, positive parenting by fathers; and

D. Identify and develop strategies to improve the parenting abilities of fathers across the socioeconomic spectrum and varying resident status; and be it further

Sec. 6. Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 7. Compensation. Resolved: That the legislative members of the commission are entitled to the legislative per diem, as defined in the Maine