

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

Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report, together with any necessary implementing legislation, no later than November 6, 2002. The commission is authorized to introduce legislation related to its report to the First Regular Session of the 121st Legislature. If the commission requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 9. Budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission's budget, expenditures incurred and paid and available funds; and be it further

Sec. 10. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Commission on Fatherhood Issues

Initiative: Provides funds for the per diem and expenses of legislative members and the reimbursement of necessary expenses of public members of the Commission on Fatherhood Issues, as well as printing and mailing costs.

General Fund	2001-02	2002-03
Personal Services	\$0	\$1,100
All Other	<u>0</u>	<u>2,600</u>
General Fund Total	\$0	\$3,700

See title page for effective date.

CHAPTER 122

H.P. 1434 - L.D. 1931

Resolve, Appropriating Funds for the Seeds of Peace International Camp

Preamble. Whereas, for 10 years, Seeds of Peace International Camp located in Otisfield has been bringing teenagers from regions in conflict around the

world to learn about conflict resolution and the art of peacemaking; and

Whereas, Seeds of Peace International Camp has received worldwide recognition as an effective model for resolving international conflict, including a UNESCO Peace Prize from the United Nations and the International First Freedom Award from the Council for America's First Freedom; and

Whereas, Maine is the home of many honored peacemakers including Samantha Smith and George Mitchell; and

Whereas, Seeds of Peace International Camp has received support from numerous Maine businesses and educational institutions; and

Whereas, it is appropriate and fitting that the State, as the home of peacemakers, should demonstrate its support of the unique efforts of Seeds of Peace International Camp; now, therefore, be it

Sec. 1. Resolve 1999, c. 71, §4, repealed. Resolved: That Resolve 1999, c. 71, §4, is repealed; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

John H. Reed - Kenneth M. Curtis Peace Fellowship

Initiative: Provides funds for a one-time appropriation to support scholarships for the Seeds of Peace International Camp in Otisfield.

General Fund	2001-02	2002-03
All Other	\$0	\$25,000

See title page for effective date.

CHAPTER 123

H.P. 1465 - L.D. 1962

Resolve, to Reduce Pollution of Androscoggin Lake by Repairing and Altering the Existing State-owned Barrier on Dead River in Leeds

Sec. 1. Study; report. Resolved: That, using funds appropriated under this resolve for these purposes, the Department of Environmental Protection has the following duties.

1. Protection of Androscoggin Lake; feasibility study. The Commissioner of Environmental Protection, working with the Department of Agriculture, Food and Rural Resources, affected municipali-

ties, businesses, property owners, nongovernmental organizations and interested citizens and using funds provided in this resolve, shall undertake such technical evaluations as necessary to determine the feasibility of and costs for options for permanent flood control structures on Dead River in the Town of Leeds, Androscoggin County that eliminate or minimize the adverse environmental impacts to Androscoggin Lake resulting from polluted waters flowing into the lake from the Androscoggin River.

2. Report. No later than January 1, 2003, the Commissioner of Environmental Protection shall submit a written report on any feasibility study undertaken pursuant to this resolve to the joint standing committee of the Legislature having jurisdiction over agricultural matters. That report must include, but is not limited to:

A. An analysis of conventional and toxic waterborne pollutants entering Androscoggin Lake, including the sources of these pollutants, their amounts and their impacts to water quality and to fisheries and wildlife, and methods and plans for controlling and minimizing the discharge of these pollutants;

B. Recommendations on alternative permanent flood control structures available to eliminate some or all of the flow of water from the Androscoggin River into Androscoggin Lake and the location, construction feasibility and costs of these alternatives, including, if necessary, the cost of removing the existing state-owned dam on Dead River in the Town of Leeds, Androscoggin County;

C. A recommendation of the Department of Environmental Protection's preferred permanent flood control structure, including cost estimates and a plan to obtain necessary funding for its construction and maintenance;

D. Recommendations on the permanent future ownership of the structure; and

E. Any other matters relevant to the purposes of the study.

The Department of Environmental Protection shall seek and may accept up to \$15,000 in additional funds for this study from Androscoggin County or the Town of Leeds or the Town of Wayne or from any public or private group or groups having an interest in Androscoggin Lake, or any combination of those entities. Funds received for these purposes may be expended only for the purposes set forth in this section. Unexpended money must be returned to the contributing entities on a pro rata basis; and be it further

Sec. 2. Legislation authorized. Resolved: That the joint standing committee of the Legislature having jurisdiction over agricultural matters may report out emergency legislation to the First Regular Session of the 121st Legislature on any issue pertaining to the state-owned dam on Dead River in the Town of Leeds, Androscoggin County; and be it further

Sec. 3. Removal of dam prohibited. Resolved: That, notwithstanding any other provision of law, the Commissioner of Agriculture, Food and Rural Resources may not remove, cause to be removed or seek to have removed the state-owned dam on Dead River in the Town of Leeds, Androscoggin County. This section is repealed July 1, 2003; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF**

Office of the Commissioner

Initiative: Allocates funds from the Dam Repair and Reconstruction Fund for emergency temporary repairs to the state-owned dam on Dead River in the Town of Leeds, Androscoggin County.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$40,000

**AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF**

DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	2001-02	2002-03
	\$0	\$40,000

DEPARTMENT TOTAL - ALL FUNDS	\$0	\$40,000
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land and Water Quality

Initiative: Allocates funds from the Dam Repair and Reconstruction Fund for technical evaluations to determine the feasibility of and costs for options for permanent flood control structures on Dead River in the Town of Leeds, Androscoggin County.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$20,000

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	2001-02	2002-03
	\$0	\$20,000

DEPARTMENT TOTAL - ALL FUNDS	\$0	\$20,000
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SECTION TOTALS

OTHER SPECIAL REVENUE FUNDS	\$0	\$60,000
SECTION TOTAL - ALL FUNDS	\$0	\$60,000

See title page for effective date.

CHAPTER 124

H.P. 1700 - L.D. 2200

Resolve, to Study the Impact of a Maine-based Casino on the Economy, Transportation Infrastructure, State Revenues and the Job Market

Sec. 1. Task force established. Resolved:

That the Task Force to Study the Impact of a Maine-based Casino, referred to in this resolve as the "task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of 18 members as follows:

1. Three members of the Senate appointed by the President of the Senate, with preference given to members who serve on the following committees: the joint standing committee of the Legislature having jurisdiction over business and economic development matters; the joint standing committee of the Legislature having jurisdiction over gaming matters; and the joint standing committee of the Legislature having jurisdiction over transportation matters;

2. Three members of the House of Representatives appointed by the Speaker of the House, with preference given to members who serve on the following committees: the joint standing committee of the Legislature having jurisdiction over business and economic development matters; and the joint standing committee of the Legislature having jurisdiction over gaming matters. In appointing one of the members under this subsection, preference must be given to a member who is a tribal representative;

3. Two members of the public in support of a Maine-based casino, one appointed by the President of the Senate and one appointed by the Speaker of the House;

4. Two members of the public opposed to a Maine-based casino, one who should possess some experience, expertise or knowledge of the causes, treatment or prevention of problem or pathological gambling, the providing of services to assist affected individuals and their families or the education of the public to increase its awareness of the disorders and available gamblers assistance programs appointed by

the President of the Senate and one who is charged with examining the religious, spiritual and moral impacts of casino gambling appointed by the Speaker of the House;

5. The Chief of the State Police or the chief's designee;

6. The Attorney General or the Attorney General's designee;

7. A representative of the Maine Association of Interdependent Neighborhoods selected by the association, or the member's designee;

8. A representative of the Maine Chiefs of Police Association selected by the association, or the member's designee;

9. A representative of the Maine Chamber of Commerce selected by the chamber, or the member's designee;

10. A representative of the Maine Tourism Association selected by the association, or the member's designee;

11. A representative of the Office of Substance Abuse within the Department of Behavioral and Developmental Services, or the member's designee; and

12. The Executive Director of the Maine Harness Racing Commission or the executive director's designee.

A quorum is 12 members; and be it further

Sec. 3. Chairs. Resolved: That the first named Senate member is the Senate chair of the task force and the first named House of Representatives member 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 following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the task force; and be it further

Sec. 5. Duties. Resolved: That the task force shall examine the following issues concerning a Maine-based casino and perform the following duties:

1. Determine the impact of increased vehicular traffic on the infrastructure of the State;