

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2003

participation in the work of the study group; and be it further

Sec. 8. Report. Resolved: That, no later than November 21, 2003, the study group shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 121st Legislature. The study group is authorized to introduce a bill related to its report to the Second Regular Session of the 121st Legislature at the time of submission of its report.

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

Effective June 17, 2003.

CHAPTER 79

H.P. 943 - L.D. 1271

Resolve, To Study the Implementation of a Plan To Prohibit the Discharge of Certain Wastewater into Coastal Waters

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

Whereas, this resolve directs the Department of Environmental Protection to develop a plan for prohibiting or regulating the discharge of sewage and gray water from vessels into the coastal waters of the State; and

Whereas, this resolve is necessary as an emergency measure to afford adequate time for the issues to be appropriately addressed by the department; 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. Stakeholder group established. Resolved: That the Department of Environmental Protection shall convene a stakeholder group to assist the department in developing a recommended plan for prohibiting or regulating the discharge of sewage and gray water from vessels into the coastal waters of the State. The stakeholder group must be convened no later than 30 days after the effective date of this resolve; and be it further

Sec. 2. Membership. Resolved: That the department shall invite a marine biologist, an oceanographer and a harbor master and a representative of each of the following interested parties to participate in the stakeholder group: the Joint Standing Committee on Natural Resources, an environmental advocacy organization, a marine trade association, the marina industry, the United States Coast Guard, a group representing the interests of saltwater recreational boaters, the boatbuilding industry, the commercial fishing industry including lobstermen and shellfish harvesters, the aquaculture industry, the tourism industry, the hotel industry, an organization whose mission is to protect Casco Bay, a group representing the Maine petroleum industry, the marine terminal industry and other interested parties as determined by the department; and be it further

Sec. 3. Duties. Resolved: That the Department of Environmental Protection, with the assistance of the stakeholder group established pursuant to section 2, shall develop a recommended plan for prohibiting or regulating the discharge of sewage and gray water from vessels into the coastal waters of the State. The department shall, at a minimum, hold one meeting in Portland with the stakeholder group and one meeting in Bar Harbor with the stakeholder group. The department shall include in its review the following:

1. The issues identified in Legislative Document 1158, "An Act to Protect Maine's Coastal Water" of the 121st Legislature;

2. The benefits and detriments to identifying certain waters in Casco Bay as no-discharge zones prior to applying to the United States Environmental Protection Agency for designation of up to 50 significant harbors or bays in the territorial waters of the State as no-discharge zones pursuant to Public Law 1999, chapter 655;

3. A process for determining the boundaries of those waters that should be designated as no-discharge zones; and

4. The parameters for the regulation of gray water, including vessel weight and vessel passenger capacity; and be it further

Sec. 4. Report. Resolved: That the Department of Environmental Protection shall submit to the Joint Standing Committee on Natural Resources no later than November 1, 2003 a recommended plan, including any legislation necessary to implement the plan, for prohibiting or regulating the discharge of sewage and gray water from vessels into the coastal waters of the State; and be it further

Sec. 5. Funding. Resolved: That, pursuant to the Maine Revised Statutes, Title 38, section 351,

the Commissioner of Environmental Protection may seek and accept outside funds to advance the work in developing a recommended plan pursuant to this resolve.

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

Effective June 18, 2003.

CHAPTER 80

S.P. 330 - L.D. 989

Resolve, To Establish a Task Force Concerning Speech-language Pathologists

Sec. 1. Task force established. Resolved:

That the Task Force to Address the Shortage of Speech-language Pathologists, 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 the following 13 members:

1. The Commissioner of Education or the commissioner's designee;
2. The Chancellor of the University of Maine System or the chancellor's designee;
3. One member representing the State Board of Education appointed by the President of the Senate upon recommendation of the Chair of the State Board of Education;
4. Four members representing the Maine Speech-Language-Hearing Association, 3 of whom are school-based, appointed by the Speaker of the House upon recommendation of the President of the Maine Speech-Language Hearing Association;
5. One member representing the Maine School Superintendents Association appointed by the President of the Senate upon recommendation of the President of the Maine School Superintendents Association;
6. One member representing the Maine School Boards Association appointed by the Speaker of the House upon recommendation of the President of the Maine School Boards Association;
7. One member representing the Maine Principals' Association appointed by the President of the Senate upon recommendation of the President of the Maine Principals' Association;

8. One member representing the Maine Association of Directors of Special Education appointed by the Speaker of the House upon recommendation of the President of the Maine Association of Directors of Special Education;

9. One member representing the University of Maine, Department of Communication Sciences and Disorders appointed by the President of the Senate upon recommendation of the Chair of the University of Maine, Department of Communication Sciences and Disorders; and

10. One parent of a student receiving speech pathology services appointed by the Speaker of the House; and be it further

Sec. 3. Chair. Resolved: That the chair is selected by a vote of the task force membership at its first meeting; 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 executive director shall call and convene the first meeting of the task force; and be it further

Sec. 5. Duties. Resolved: That the task force shall provide leadership and direction for collaborative efforts among the Department of Education, the University of Maine System and the State Board of Education to increase the number of speech-language pathologists who provide services to Maine children by:

1. Establishing a plan and schedule for the task force's work;
2. Meeting regularly to gather and review information and data on the conditions affecting recruitment and retention of speech-language pathologists in Maine schools and develop recommendations for recruitment and retention of speech-language pathologists;
3. Developing a plan to support and enhance the capacity of graduate training programs at institutions that prepare speech-language pathologists and ensure adequate opportunities for professional growth and development through the University of Maine System and other public and private organizations;
4. Examining trends related to the existing vacancy rates in Maine schools of speech-language pathologists, trends in use of Medicaid funding to enhance speech-language pathology services and demographics of currently employed school-based