

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

speech-language pathologists to identify current capacity and anticipated need by 2010;

5. Reviewing current licensure requirements of speech-language pathologists and making any recommendations for revisions to such requirements in order to ensure quality of services and to increase the number of individuals qualified for licensure as speech-language pathologists; and

6. Examining the potential for assignment of certified school personnel who can provide services while being appropriately supervised by licensed speech-language pathologists; and be it further

Sec. 6. Advisory capacity. Resolved: That the task force shall serve in an advisory capacity to the Legislature and the agencies involved with the requirements, licensure and preparation of speech-language pathologists; and be it further

Sec. 7. Recommendation. Resolved: That the task force shall recommend to the Legislature, the State Board of Education and the Commissioner of Education a plan to ensure access to educational training opportunities for speech-language pathologists in postsecondary institutions; and be it further

Sec. 8. Staff assistance. Resolved: That the Department of Education shall provide necessary staffing services to the task force; and be it further

Sec. 9. Compensation. Resolved: That the public members of the task force not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 for their attendance at authorized meetings of the task force; and be it further

Sec. 10. Report. Resolved: That the task force shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 121st Legislature, to the Commissioner of Education and to the State Board of Education by December 3, 2003. Following review of the report, the Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 121st Legislature; and be it further

Sec. 11. Task force budget. Resolved: That expenses incurred by the task force in completing its work must be absorbed by the respective agencies and entities represented on the task force.

See title page for effective date.

CHAPTER 81

S.P. 182 - L.D. 542

Resolve, To Reduce the State Valuation for the Town of Hermon

Sec. 1. State valuation for Town of Hermon. Resolved: That, notwithstanding the filing deadline set forth in the Maine Revised Statutes, Title 36, section 208-A, the Town of Hermon may request a reduction in its state valuation under Title 36, section 208-A for the year 2003 based on the reduction in value of the H. C. Price Company in the town.

Sec. 2. General purpose aid for local schools; Hermon. Resolved: That, notwithstanding the Maine Revised Statutes, Title 36, section 208-A, if the State Tax Assessor notifies the Commissioner of Education of an adjustment to the state valuation of the Town of Hermon pursuant to section 1, the Commissioner of Education shall adjust the payments to the Town of Hermon for general purpose aid for local schools as provided in this section. If any savings occurs in the fiscal year 2003-04 General Purpose Aid for Local Schools account, the appropriate amount of those savings must be applied to increase the Hermon school administrative unit's general purpose aid for local schools for 2003-04. If insufficient savings occur in the fiscal year 2003-04 General Purpose Aid for Local Schools account, the appropriate increase in the Hermon school administrative unit's general purpose aid for local schools for 2003-04 must be applied as an audit adjustment in 2004-05 general purpose aid for local schools.

See title page for effective date.

CHAPTER 82

H.P. 908 - L.D. 1234

Resolve, To Protect High and Moderate Value Waterfowl and Wading Bird Habitats

Sec. 1. Identification of high and moderate value waterfowl and wading bird habitats. Resolved: That the Department of Inland Fisheries and Wildlife shall define, identify and map all high and moderate value waterfowl and wading bird habitats, including nesting and feeding areas, through rulemaking. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. Implementation of the identification and mapping is subject to General Fund appropriations to the Department of Inland Fisheries and Wildlife specifically for this purpose; and be it further

Sec. 2. Report. Resolved: That, by January 15, 2004, the Commissioner of Inland Fisheries and Wildlife shall report to the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Natural Resources on the progress of the mapping of high and moderate value waterfowl and wading bird habitats. The report must contain a schedule for the mapping and a projected cost to map all high and moderate value waterfowl and wading bird habitats.

See title page for effective date.

CHAPTER 83

H.P. 797 - L.D. 1079

Resolve, To Establish the Committee To Study Compliance with Maine's Freedom of Access Laws

Sec. 1. Committee established. Resolved: That the Committee to Study Compliance with Maine's Freedom of Access Laws, referred to in this resolve as "the committee," is established; and be it further

Sec. 2. Committee membership. Resolved: That the committee consists of 16 members appointed as follows:

1. One member of the Senate, appointed by the President of the Senate;
2. One member of the House of Representatives, appointed by the Speaker of the House;
3. One member representing the Maine Press Association, appointed by the President of the Senate;
4. One member representing the Maine Daily Newspapers Publishers Association, appointed by the Speaker of the House;
5. One member representing the Maine Municipal Association, appointed by the Governor;
6. One member representing the Maine Chiefs of Police Association, appointed by the Governor;
7. One member representing the Maine School Management Association, appointed by the Governor;
8. The Attorney General, or the Attorney General's designee;
9. One member representing the Maine Association of Broadcasters, appointed by the President of the Senate;

10. One member representing the Maine Freedom of Information Coalition, appointed by the Speaker of the House;

11. The Commissioner of Public Safety, or the commissioner's designee;

12. One member representing county commissioners, appointed by the President of the Senate;

13. One member representing the Maine Sheriffs' Association, appointed by the President of the Senate;

14. One member representing persons whose privacy interests are protected by the freedom of access laws, appointed by the President of the Senate;

15. One member of the public, appointed by the President of the Senate; and

16. One member of the public, appointed by the Speaker of the House; and be it further

Sec. 3. Appointments; cochairs. 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 upon making their appointments. The legislative members named to the committee shall serve as cochairs. When the appointment of all members is completed, the cochairs of the committee shall call and convene the first meeting of the committee no later than 15 days after the last member is appointed; and be it further

Sec. 4. Committee duties. Resolved: That the committee shall meet not more than 4 times to study state and local governmental compliance with Maine's freedom of access laws and other issues relating to citizens' access to public records and public proceedings. In examining these issues, the committee shall:

1. Review and analyze the Report on Public Records Audit, prepared by the Maine Freedom of Information Coalition in November 2002, and the recommendations made in the report;
2. Study what measures, if any, state and local governmental entities in Maine and in other states have taken to ensure their employees are knowledgeable about and comply with Maine's freedom of access laws or other comparable state laws;
3. Investigate and recommend ways in which governmental compliance with Maine's freedom of access laws may be meaningfully improved and calculate what, if any, costs may be associated with making such improvements;