

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Bureau of General Services to establish account to accept funds for construction of a monument honoring women veterans of Maine. Resolved: That the Director of the Bureau of General Services within the Department of Administrative and Financial Services shall establish an account to accept donations for the Women Veterans Monument as recommended by the Commission to Arrange for a Monument Honoring Women Veterans of Maine; and be it further

Sec. 2. Transfer of funds; General Fund unappropriated surplus to Buildings and Grounds Operations, Other Special Revenue Funds account. Resolved: That, notwithstanding any other provisions of law, by June 30, 2008, the State Controller shall transfer \$10,000 from General Fund unappropriated surplus to the Buildings and Grounds Operations, Other Special Revenue Funds account within the Department of Administrative and Financial Services; and be it further

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Buildings and Grounds Operations 0080

Initiative: Allocates funds for the construction of a monument to honor women veterans of Maine.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$10,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$0

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

Effective June 29, 2007.

**CHAPTER 142
H.P. 891 - L.D. 1263**

Resolve, To Continue the Tribal-State Work Group

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 needs to take effect before the expiration of the 90-day period in order for the tribal-state work group originally created by Executive Order 19 FY 06/07 to continue working during and after the First Regular Session of the 123rd Legislature and for its study and report to be completed in time for submission to the next legislative session; 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. Tribal-State Work Group established. Resolved: That the Tribal-State Work Group, referred to in this resolve as "the work group," is established; and be it further

Sec. 2. Work group membership. Resolved: That the work group consists of 17 members appointed as follows:

1. Two members of the Senate, one belonging to the political party holding the largest number of seats in the Senate and one belonging to the political party holding the second largest number of seats in the Senate, appointed by the President of the Senate;

2. Six members of the House of Representatives, 3 belonging to the political party holding the largest number of seats in the House and 3 belonging to the political party holding the second largest number of seats in the House, appointed by the Speaker of the House;

3. Seven representatives of the Native American community, one appointed by each of the top elected leaders of the 5 Wabanaki Tribal Governments: the Chief of the Aroostook Band of Micmacs, the Chief of the Houlton Band of Maliseet Indians, the Governor of the Passamaquoddy Tribe at Indian Township, the Governor of the Passamaquoddy Tribe at Pleasant Point and the Chief of the Penobscot Nation; the Passamaquoddy Tribal Representative to be appointed by the Joint Tribal Council of the Passamaquoddy Tribe; and the Penobscot Tribal Representative appointed by the Chief of the Penobscot Nation;

4. One member appointed by the Governor; and

5. One representative of the Maine Indian Tribal-State Commission; and be it further

Sec. 3. Cooperation and participation of the Attorney General. Resolved: That the Attorney General is requested to have a representative attend all meetings of the work group and respond to requests during the work group's deliberations regarding the Attorney General's opinion concerning the

constitutionality and legal interpretation of any possible changes to AN ACT to Implement the Maine Indian Claims Settlement or related statutes and agreements; and be it further

Sec. 4. Chair. Resolved: That the first-named Senate member is the Senate chair of the work group and the first-named House of Representatives member is the House chair of the work group; and be it further

Sec. 5. Duties. Resolved: That the work group may hold up to 6 meetings and shall examine the issues identified in the framework document prepared for the Assembly of the Governors and Chiefs held May 8, 2006, the minutes for that meeting, Tribal-Maine Issues: Issues That Have Been Litigated or Are in Litigation, and Tribal-Maine Issues: Macro Issues prepared for the May 31, 2006 review of AN ACT to Implement the Maine Indian Claims Settlement, the federal Maine Indian Claims Settlement Act of 1980 and other settlement acts pertaining to the Wabanaki Tribes for the meeting held at Indian Island May 31, 2006, the minutes for the May 31, 2006 meeting and the final report of the tribal-state work group created by Executive Order 19 FY 06/07; and be it further

Sec. 6. Staff assistance. Resolved: That, upon adequate appropriation by the Legislature, the Maine Indian Tribal-State Commission shall provide necessary staffing services to the work group; and be it further

Sec. 7. Compensation. Resolved: That the legislative members of the work group are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the work group. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a determination of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the work group; and be it further

Sec. 8. Report. Resolved: That no later than December 5, 2007, the work group shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 123rd Legislature, the Governor, the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Indian Township, the Passamaquoddy Tribe at Pleasant Point and the Penobscot Nation. The work group is authorized to introduce legislation related to its report to the Second Regular Session of the 123rd Legislature at the time of submission of its report; and be it further

Sec. 9. Work group budget. Resolved: That the chairs of the work group, with assistance from the work group staff, shall administer the work group's budget. Within 10 days after its first meeting, the work group shall present a work plan and proposed budget to the Legislative Council for its approval. Upon notice to the Executive Director of the Legislative Council that all seats on the work group have been filled, the personal services portion of the work group budget must be paid in full to the Maine Indian Tribal-State Commission. The work group may not incur expenses that would result in the work group's exceeding its approved budget. Upon request from the work groups, the Executive Director of the Legislative Council shall promptly provide the work group chairs and staff with a status report on the work group'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.

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-State Commission 0554

Initiative: Provides funds for administrative and staffing support for the Tribal-State Work Group.

GENERAL FUND	2007-08	2008-09
All Other	\$1,170	\$0
GENERAL FUND TOTAL	\$1,170	\$0
INDIAN TRIBAL-STATE COMMISSION, MAINE		
DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$1,170	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$1,170	\$0

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Study Commissions - Funding 0444

Initiative: Provides funds for legislative per diem and other expenses for 6 meetings of the Tribal-State Work Group.

GENERAL FUND	2007-08	2008-09
Personal Services	\$5,280	\$0
All Other	\$5,550	\$0
GENERAL FUND TOTAL	\$10,830	\$0

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DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$10,830	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$10,830	\$0
SECTION TOTALS	2007-08	2008-09
GENERAL FUND	\$12,000	\$0
SECTION TOTAL - ALL FUNDS	\$12,000	\$0

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

Effective June 29, 2007.

CHAPTER 143
S.P. 544 - L.D. 1521

**Resolve, To Provide Education
Concerning and Insurance
Coverage for Lyme Disease**

Sec. 1. Public education; Lyme disease.
Resolved: That within existing resources, the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall develop a public education program related to the prevention, diagnosis and treatment of Lyme disease and other tick-borne illnesses. At a minimum, the public education program developed by the Maine Center for Disease Control and Prevention must include the distribution of written materials to elementary and secondary schools and health care providers throughout the State. The Maine Center for Disease Control and Prevention shall also expand and update the information and resources made available on its publicly accessible website regarding Lyme disease and other tick-borne illnesses.

See title page for effective date.
