

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

shall state that there is a reasonable assurance that the project will not violate the applicable water quality standards. The coordination function of the department with respect to water quality certification shall not include any proceedings or substantive criteria in addition to those otherwise required by this subarticle. If the commissioner or director fails to act on the certificate, the federal certification requirements of the United States Water Pollution Control Act, Section 401, shall be waived.

Sec. 3. 38 MRSA §636, sub-§7, ¶¶E and F, as enacted by PL 1983, c. 458, §18, are amended to read:

E. Whether the project will result in significant flood control benefits or flood hazards; and

F. Whether the project will result in significant hydroelectric energy benefits, including the increase in generating capacity and annual energy output resulting from the project, and the amount of nonrenewable fuels it would replace; and

Sec. 4. 38 MRSA §636, sub-§7, ¶G is enacted to read:

G. For an application filed after the effective date of this paragraph, whether there is reasonable assurance that the project will not violate applicable state water quality standards, as required for water quality certification under the United States Water Pollution Control Act, Section 401.

Effective July 16, 1986.

CHAPTER 773

H.P. 1604 - L.D. 2258

AN ACT to Authorize the Establishment of
Veterans' Homes in Northern and
Southern Maine.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 37-B MRSA §601, as enacted by PL 1983, c. 460, §3, is repealed and the following enacted in its place:

§601. Home established; purpose

There shall be public homes for veterans in Maine known as "Maine Veterans' Homes." In addition to the presently existing home located in Augusta, a 120-bed home located in southern Maine and a home, not to exceed 60 beds, located in Aroostook County, may be constructed if federal Veterans' Administration funds are available to meet part of the costs of each facility for construction or operation. The board of trustees shall plan and develop these additional homes and may use any funds available for those purposes, except for the Augusta facility's funded depreciation account. The primary purpose of the homes shall be to provide support and care for honorably discharged veterans who served in the United States Armed Forces during wartime, including the Korean Conflict and the Viet Nam War.

Sec. 2. 37-B MRSA §602, sub-§6, as enacted by PL 1983, c. 460, §3, is amended to read:

6. Borrow funds. Borrow funds, not in excess of ~~\$1,000,000~~ \$5,000,000 in the aggregate, make and issue bonds and negotiate notes and other evidences of indebtedness or obligations of the veterans' home for prudent and reasonable capital, operational and maintenance purposes. The home may secure payments of all or part of the obligations by pledge of part of the revenues or assets of the home which are available for pledge and which may be lawfully pledged or by mortgage of part, or all, of any property owned by the home. The home may do all lawful things necessary and incidental to those powers. The home may borrow money from the Federal Government and its agencies, from state agencies and from any other source. The home may borrow money from the State subject to approval by the Treasurer of State and the Governor. Bonds, notes and other evidences of indebtedness issued under this subsection shall not be deemed to constitute debts of the State, nor a pledge of the credit of the State, but shall be payable solely from the funds of the home; and

Sec. 3. 37-B MRSA §603, as amended by PL 1983, c. 812, §285, is further amended to read:

§603. Board of trustees

The administration of the ~~home~~ homes is vested in the Board of Trustees of the Maine Veterans' Home Homes, as authorized by Title 5, section 12004, sub-

section 8. The board shall consist of 9 10 members, one of whom shall be the Director of the Bureau of Veterans' Services, ex officio, who shall serve without term. The Governor shall appoint the remaining trustees, who shall be honorably discharged war veterans. One member shall be appointed from and shall represent each of the largest veterans' organizations, not exceeding 5, which are nationally chartered and have a department in Maine. The remaining members shall be appointed at large and shall serve staggered 3-year terms. The membership shall be distributed across the State so that 3 reside in the southern part of the State, 3 in the central part and 3 in the northern part. In the event of a vacancy, the successor shall be appointed to complete the unexpired term. Each trustee shall continue to hold office until his successor is appointed and qualified.

Sec. 4. Budget request. The Department of Human Services shall include in its current services budgets, beginning in the first year of projected operation of each additional veterans' home authorized under this Act, adequate funds to support Medicaid's share of patient care expenses for up to 180 beds, provided that no more than 50 of these beds shall be funded prior to 1990.

Effective July 16, 1986.

CHAPTER 774

H.P. 1569 - L.D. 2219

AN ACT to Provide Technical Assistance to
Schools on Truancy, Dropouts and
Alternative Educational Programs and
to Amend the Permanent School Fund.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(17-A) is enacted to read:

(17-A)	<u>Education,</u>	<u>Advisory</u>	<u>Expenses</u>	<u>20-A MRSA</u>
	<u>Truants and</u>	<u>Committee</u>	<u>Only</u>	<u>§5152</u>
	<u>Dropouts</u>			

Sec. 2. 13 MRSA §3167, as amended by PL 1973, c. 628, §5, is further amended to read: