

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
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TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

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6. Electronic voting system. "Electronic voting system" means a system in which votes are recorded on paper ballots ~~utilizing special marking devices~~ or on ballot cards utilizing special styluses as part of a voting device and these votes are subsequently counted and tabulated by automatic tabulating equipment at one or more counting centers.

Effective September 29, 1987.

## CHAPTER 97

H.P. 218 — L.D. 270

### AN ACT for Timely Construction of Water Main Extensions.

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

35 MRSA §3296 is amended to read:

#### §3296. Water utility line crossing railroad right-of-way

Wherever a line or main of a water utility is located and about to be constructed across the right-of-way of any railroad, unless the officers of ~~such~~ that water utility ~~shall~~ agree with the corporation operating ~~such~~ that railroad as to the time, place, manner and conditions of the crossing, the Public Utilities Commission upon petition of either party, after notice and hearing, shall determine the time, place, manner and conditions of ~~such~~ that crossing. All the work within the limits of ~~such~~ the railroad location shall be done under the supervision of the officers of the corporation operating ~~said~~ the railroad and to the satisfaction of the commission; and the expense ~~thereof~~ shall be borne by the water utility. ~~Said~~ The commission shall make report of their decision in the same manner as in the case of highways located across railroads and subject to the same right of appeal.

Effective September 29, 1987.

## CHAPTER 98

H.P. 957 — L.D. 1286

### AN ACT Relating to a Vocational Region as Defined by Law.

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

Sec. 1. 20-A MRSA §1, sub-§26, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

26. School administrative unit. "School administrative unit" means the state-approved unit of school administration and includes a municipal school unit, school

administrative district, community school district or any other municipal or quasi-municipal corporation responsible for operating or constructing public schools, except that it shall not include a vocational region.

Sec. 2. 20-A MRSA §8301, sub-§5, as amended by PL 1983, c. 485, §26, is further amended to read:

5. Vocational region. A vocational region is a quasi-municipal corporation established by the Legislature for the delivery of vocational programs which is comprised of all the school administrative units within the geographical boundaries established set forth in section 8451. A region shall be governed by a cooperative board formed and operating in accordance with section 8452 ~~this chapter.~~

Sec. 3. 20-A MRSA §8457, sub-§1, as amended by PL 1985, c. 797, §43, is further amended to read:

1. Duties. A cooperative board shall have all the rights and duties of a school board as provided in section 1001, subsections 1 ~~to 8~~, 2, 4 to 7, 11-A and 12; section 1002; section 1256, subsections 1, 2 and 4 to 7; section 1257; sections 1313 to 1315; section 2501; section 4801; section 13201; and section 13202.

Sec. 4. 20-A MRSA §8465, sub-§1, ~~¶A~~, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

A. The board shall call a regional referendum using the procedures set forth in sections 1351 to 1354. References in this section to laws pertaining to "school administrative district" and "board of directors" means vocational region and cooperative board, respectively;

Sec. 5. 20-A MRSA §15901, sub-§§6, 7 and 8 are enacted to read:

6. School administrative unit. "School administrative unit" means a school administrative unit as defined by section 1, subsection 26 and a vocational region as defined by section 8301, subsection 5, except that in section 15907, the reference to "unit" or "school administrative unit" means the units within the vocational regions.

7. School board. "School board" means a school board as defined in section 1, subsection 28 and the cooperative board of a vocational region.

8. Superintendent. "Superintendent" means a superintendent as defined by section 1, subsection 39, and the director of a vocational region, if that person had been appointed to serve as administrative officer of the region, or the superintendent who has been appointed to serve as ex officio administrative officer.

Sec. 6. 20-A MRSA §15904, sub-§2, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

2. School administrative districts. In a school administrative district ~~or vocational region~~ the vote shall

be conducted in accordance with sections 1351 to 1354.

Sec. 7. 20-A MRSA §15904, sub-§5 is enacted to read:

5. Vocational regions. In a vocational region, the vote shall be conducted in accordance with sections 1351 to 1354 and section 8465. References in sections 1351 to 1354 to school administrative unit and board of directors means "vocational region" and "cooperative board," respectively.

Effective September 29, 1987.

## CHAPTER 99

H.P. 856 — L.D. 1150

### AN ACT to Strengthen the Efforts of the Maine Potato Industry and the Responsibility of the Maine Potato Board to Improve the Quality of Maine Tablestock Potatoes.

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

Sec. 1. 7 MRSA §1031, as enacted by PL 1981, c. 513, §§10 and 12, is amended to read:

#### §1031. Purpose

The purpose of this ~~Article~~ article is ~~to use a public and private partnership~~ to create a voluntary potato quality control system to promote the sale of Maine potatoes. In order to further unify the Maine potato industry and to carry out the consolidation of potato industry organizations begun by the creation of the Maine Potato Board under Title 36, chapter 710, the Maine Potato Quality Control Board established by this article is brought under the structure of the Maine Potato Board and the duties, responsibilities and programs of the Maine Potato Quality Control Board shall be carried out under the oversight of the Maine Potato Board.

Sec. 2. 7 MRSA §1032, sub-§1, as enacted by PL 1981, c. 513, §§10 and 12, is repealed.

Sec. 3. 7 MRSA §1032, sub-§2-A, as amended by PL 1981, c. 698, §14, is repealed.

Sec. 4. 7 MRSA §1032, sub-§4, as enacted by PL 1981, c. 513, §10 and 12, is amended to read:

4. Maine bag grade. "Maine bag grade" means any of the officially established grades of potatoes as adopted by the ~~board~~ commissioner.

Sec. 5. 7 MRSA §1032, sub-§5, as enacted by PL 1981, c. 540, §5, is repealed.

Sec. 6. 7 MRSA §1033, sub-§1, as amended by PL

1983, c. 812, §48, is further amended to read:

1. Board. The Maine Potato Quality Control Board established by Title 5, section 12004, subsection 9, shall consist of the following members:

A. ~~One representative~~ Two representatives elected by the ~~Maine Potato Commission~~ executive council of the dealers assembly established pursuant to Title 36, chapter 710;

B. ~~Five Seven~~ representatives elected by the ~~Maine Potato Council~~; ~~one from each of the 3 districts defined in section 998, subsection 3, paragraphs A, C and D, and 2 from the district defined in section 998, subsection 3, paragraph B~~ of growers of tablestock potatoes, one elected by the assembly of tablestock growers in each of the districts established pursuant to Title 36, section 4602, subsection 3;

C. ~~One representative~~ elected by the ~~Maine Potato Sales Association~~;

D. A representative of the department, appointed by the commissioner; and

E. A person appointed by the Governor to represent consumers.

Members shall be elected or appointed, as the case may be, within 30 days of the effective date of this section as amended and shall serve for staggered 2-year terms. In the initial membership, the board shall determine that ~~4~~ 5 of its members shall serve for one-year terms. The board shall elect a chairman and shall meet at the call of the chairman and at the call of the Maine Potato Board. The members shall be compensated as provided in Title 5, chapter 379.

Sec. 7. 7 MRSA §1033, sub-§2, ¶B, as enacted by PL 1981, c. 513, §10, is amended to read:

B. To adopt ~~grades for potatoes and identification~~ to be used on consumer packs of potatoes to be packed in Maine bags, as authorized in this ~~Article~~ article;

Sec. 8. 7 MRSA §1033, sub-§2, ¶D, as enacted by PL 1981, c. 513, §10, is repealed.

Sec. 9. 7 MRSA §1033, sub-§2, ¶G, as repealed and replaced by PL 1983, c. 780, §2, is amended to read:

G. To recommend to the commissioner the maximum inspection fee which should be assessed for loads packed in Maine bags and to advise the commissioner of all factors necessary to achieve full industry participation in the Maine Bag Program; ~~and.~~

Sec. 10. 7 MRSA §1033, sub-§2, ¶H, as enacted by PL 1983, c. 780, §2, is repealed.

Sec. 11. 7 MRSA §1033, sub-§3, as amended by PL