

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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is no council, at least once each year residents ~~shall~~ must be given the choice to establish one. A majority vote ~~shall prevail~~ prevails.

The council shall draw up bylaws. The council may meet as often as specified in the bylaws, but at least quarterly. No employee or representative of the facility may be a member of the council. Family members may sit on the council, but ~~shall~~ may not be members.

**3. Assistance.** ~~The~~ Except as provided in this subsection, the administrator shall designate a staff member, not related to the administrator, to assist the residents' council. In small long-term care facilities in which no staff members are unrelated to the administrator or owner of the facility, the administrator may designate a staff member who is related to the administrator.

See title page for effective date.

## CHAPTER 70

S.P. 279 - L.D. 738

### An Act to Reestablish the Board of Visitors of State Institutions, except for the Augusta Mental Health Institute and the Bangor Mental Health Institute

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

**Sec. 1.** 5 MRSA §12004-I, sub-§60-A is enacted to read:

<u>60-A.</u>	<u>Board of Visitors</u>	<u>Expenses</u>	<u>34-B MRSA</u>
<u>Mental Health and Mental Retardation</u>	<u>(for certain state institutions under the Department of Mental Health and Mental Retardation)</u>	<u>Only</u>	<u>§1403-A</u>

**Sec. 2.** 34-B MRSA §1403-A is enacted to read:

#### §1403-A. Boards of visitors

**1. Appointment.** The Governor shall appoint a board of 5 visitors, as authorized by Title 5, section 12004-I, subsection 60-A, for each state institution under the department.

A. The term of the visitors is for one year.

B. Members of boards of visitors are eligible for reappointment at the expiration of their terms.

C. A member of the Legislature may not serve on any board of visitors.

D. Members of boards of visitors are entitled to compensation for expenses according to the provisions of Title 5, chapter 379.

**2. Powers.** Each board of visitors may inspect the institution to which it is assigned and may make recommendations on the management of the institution to the commissioner.

**3. Duties.** Boards of visitors have the following duties.

A. Boards of visitors shall send copies of all recommendations to the members of the joint standing committee of the Legislature having jurisdiction over human resources matters.

B. Each board of visitors shall appear before the joint standing committee of the Legislature having jurisdiction over human resources matters upon request.

**4. Exceptions.** This section does not apply to the Augusta Mental Health Institute, the Bangor Mental Health Institute or the Bath Children's Home.

See title page for effective date.

## CHAPTER 71

S.P. 39 - L.D. 61

### An Act to Require the Earlier Determination of State Aid to Education

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

**20-A MRSA §15613, sub-§2, ¶A,** as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, is amended to read:

A. The commissioner shall annually, prior to ~~April 21st~~ February 1st, notify each school board of the amount allocated to the school administrative unit.

See title page for effective date.

## CHAPTER 72

H.P. 318 - L.D. 448

### An Act Concerning Waste Management

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

Whereas, the space in landfills is severely limited and at a critical state; and

Whereas, effective disposal alternatives exist for certain materials that are currently deposited in landfills; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Consti-