

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

eggs, domestic livestock and other products in varying degrees of preparation. Agricultural products also include the soil amendments and by-products which are used in cultivation.

Sec. 2. 14 MRSA §7552, as amended by PL 1977, c. 313, §1, is further amended to read:

§7552. Injury to lands or property

Whoever cuts down, destroys, injures or carries away any ornamental or fruit tree, Christmas tree, evergreen boughs, agricultural product, timber, wood, underwood, stones, gravel, ore, goods or property of any kind from land not his own, without license of the owner, or injures or throws down any fences, bars or gates, or leaves such gates open, or breaks glass in any building is liable in damages to the owner in a civil action. If such an act or such acts are committed committed willfully or knowingly, the defendant is liable to the owner in treble damages and, in addition, for the cost of any professional services necessary for the determination of damages, for attorney's fees, and for court costs. For purposes of this section, Christmas trees and evergreen boughs are defined in Title 12, section 8841, and agricultural product is defined in section 7551-A.

Effective September 23, 1983.

CHAPTER 363

S.P. 555 - L.D. 1614

AN ACT Making Allocations Related to the
Alcoholism Prevention, Education, Treatment
and Research Fund for the Expenditures of
State Government for the Fiscal Year
Ending June 30, 1984.

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

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the departments will become due and payable on or immediately after July 1, 1983; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §7116, sub-§6 is enacted to read:

6. Denial of treatment services. No person, firm or corporation licensed by the Department of Human Services as an alcohol or drug treatment facility, under Title 22, section 8001, to provide shelter or detoxification service, and which receives any funds administered by the department, shall deny treatment to any person because of that person's inability or failure to pay any assessed fees.

Sec. 2. Allocation. The following funds are allocated from the Alcoholism Prevention, Education, Treatment and Research Fund for the fiscal year ending June 30, 1984.

1983-84

CORRECTIONS, DEPARTMENT OF

Positions	(4)
Personal Services	\$ 72,266
All Other	165,462

EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF

Positions	(10)
Personal Services	\$242,006
All Other	118,734
Capital Expenditures	14,173

HUMAN SERVICES, DEPARTMENT OF

All Other	\$1,672,216
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Alcoholism Treatment and Service Agencies

Region I

Southern Regional Alcoholism and Drug Abuse Council, Inc.	\$ 1,000
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1983-84

Bath/Brunswick Mental Health Full Circle	1,000
Merrymeeting House	110,780
Community Alcoholism Orientation House-Serenity House	42,800
Community Schools, Inc.	1,000
Day One	42,490
Diocesan Human Relations Community Alcoholism Ser- vice	100,000
Milestone Foundation, Inc.	63,930
Pine Tree Alcoholism Treatment Center for Women-Crossroads	79,700
Twenty-Four Hour Club	106,150
Waldo County Committee for Social Action CHOICE/SKYWARD	161,560
Western Maine Counseling Service	3,660
York County Alcoholism Shelter, Inc.	28,530
York County Counseling Services	65,360
Cumberland County Sheriff Department	6,800
Region II	
Western Regional Council on Alcohol Abuse and Alcoholism, Inc.	\$ 1,000
Diocesan Human Relations Fellowship Halfway House	37,400
Fellowship House	102,140
St. Mary's General Hospi- tal	11,030

1983-84

Tri-County Mental Health	46,000
YWCA - Auburn	1,000
Region III	
Kennebec-Somerset Alcoholism and Drug Abuse Council	\$ 1,000
Kennebec Valley Regional Health Agency	219,290
Region IV	
Eastern Regional Council on Alcohol and Drug Abuse	\$ 1,000
Bangor Halfway House	99,800
Downeast Community Hospital	3,860
Eastern Maine Medical Center Outpatient	17,350
Residential	24,500
Hope House	92,470
Mayo Regional Hospital	5,200
Passamaquoddy Indian Township Alcohol Service	11,000
Penobscot Indian Nation	10,800
Pleasant Point Alcoholism Services	5,900
Project Atrium, Inc.	1,000
Project Hancock	15,400
Central Maine Indian Association	6,816
Community Health and Counseling Services	6,800
Maine AFL-CIO	6,800

1983-84

Region V

Aroostook Council	Alcoholism	\$ 1,000
Aroostook Center	Mental Health	123,040
Houlton Band of Indians	Maliseet	3,860
Aroostook County Program (Reserved)	Action	1,000
STATEWIDE		
National Council on Alcoholism		1,000

MENTAL HEALTH AND MENTAL
 RETARDATION, DEPARTMENT OF

All Other	\$ 246,526
Total	\$2,531,383

Sec. 3. Coordination. The Department of Corrections, Department of Educational and Cultural Services, Department of Human Services and Department of Mental Health and Mental Retardation shall coordinate to the greatest extent possible their goals, education, treatment, training, prevention and research programs. Before expending any education and training funds, a department shall submit the plans for the program to the Alcohol and Drug Planning Committee established by the Legislature to ensure coordination of policy and service.

Sec. 4. Accountability. The Alcohol and Drug Planning Committee shall report to the Legislature on or before the first day of the next regular session the actions taken by the departments pursuant to the allocations contained in this Act. The report shall include a description of each program and actions taken expending funds for alcoholism prevention, training, education, treatment and research. The funds expended shall be identified as to source whether federal, state or private grants. In addition, the committee shall provide a report on drug abuse, including a description of all programs and expenditures of all funds. The reports may include recommendations and outline issues which the Legislature and the departments and the committee may wish to address.

Sec. 5. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor to specifically cover those adjustments determined to be necessary under any salary plan approved by the Legislature and those reclassifications/range changes which have been approved by the Department of Personnel and submitted for legislative review prior to the effective date of this Act.

Allocations may also be increased or adjusted by the State Budget Officer, with the approval of the Governor, for the purpose of utilizing Personal Services allocations within the All Other expenditure category, in the Department of Corrections.

Sec. 6. Encumbered balances at year end. At the end of each fiscal year, all encumbered balances shall not be carried more than once.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1983.

Effective July 1, 1983.

CHAPTER 364

H.P. 1214 - L.D. 1610

AN ACT to Amend the Laws Pertaining to
Dissolution and Withdrawal from School
Administrative Districts and Community
School Districts.

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

Sec. 1. 20-A MRS §1403, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

§1403. Dissolution of a district

1. Ten percent petition. Upon receipt of a petition of which seeks to dissolve a school administrative district and establishes a maximum figure for the cost of preparing a dissolution agreement signed by 10% of the number of voters in a municipality who voted at the last gubernatorial election, the municipal officers shall call and hold a special election, in the manner provided for the calling and holding of town meetings or city elections, to vote on the dissolution of the school administrative district.