

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985
Chapters 384-End

AND AT THE

FIRST SPECIAL SESSION

November 13, 1985

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
1985

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

	<u>1985-86</u>	<u>1986-87</u>
Positions	(31)	(31)
Personal Services	\$ 673,234	\$ 694,123
All Other	<u>1,228,450</u>	<u>1,285,927</u>
 TOTAL	 \$1,901,684	 \$1,980,050

Sec. 2. Allotments required. Upon receipt of allotments duly approved by the Governor based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures from these allocations on the basis of these allotments and not otherwise.

Sec. 3. Legislative intent. It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Act, shall apply to the operating expenses only and that these allocations shall be allotted and approved under the Maine Revised Statutes, Title 5.

Sec. 4. 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 and range changes which have been approved by the Department of Personnel and submitted for legislative review prior to the effective date of this Act.

Sec. 5. Exclusion. Exclusive of sections 1 to 4, up to \$70,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 may be expended for Capital Expenditures.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1985.

Effective July 1, 1985.

CHAPTER 29

H.P. 719 - L.D. 1029

AN ACT to Establish a Pilot Project
to Provide for the Education of Students
Residing in Long-term Drug Treatment
Centers.

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

Whereas, residents of long-term drug treatment centers who are of school age are urgently in need of educational programs while overcoming their dependency problems; and

Whereas, if these students are provided an educational program comparable to that of their peers in public and private schools, there is an excellent chance that they will become productive members of society; and

Whereas, there exists no mechanism for a school unit which provides an educational program for these students to be reimbursed for its costs; 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. Pilot project established. Upon mutual agreement of the parties, the Commissioner of Educational and Cultural Services may approve an agreement entered into by the directors of School Administrative District Number 6 and the Director of the Day One Residential Treatment Center in Bar Mills to offer an educational program for residents of the center who are between the ages of 5 years and 21 years old who are otherwise entitled to a public education in the State.

Sec. 2. Program approval. Approval of the commissioner shall be based on the following criteria:

1. Plan. Submission of a plan by a school administrative unit in conjunction with a long-term treatment center to operate the educational program. The plan shall include a schedule for payment of the school administrative unit's cost of providing the educational program;

2. Compliance with requirements. Proof of compliance of the plan with the requirements of the Maine Revised Statutes, Title 22, section 7801, and any rules promulgated under that section;

3. Accounting. An accounting of all students who will be provided for under that plan; and

4. Line-item budget. Submission of a line-item budget by no later than 90 days prior to the annual period for which funding is being requested. In no event may the proposed budget request exceed on a per student basis the local school administrative unit tuition rate as provided for in the Maine Revised Statutes, Title 20-A, section 5805.

Sec. 3. Payment. The commissioner shall authorize payment of the school administrative unit's cost as provided in the approved plan. The initial payment shall be made within 30 days of commencement of the educational program.

Sec. 4. Termination of project; report of the commissioner. The pilot project established by this Act shall terminate on June 30, 1986, unless extended by an Act of the Legislature. The commissioner shall report his experiences, findings and recommendations on whether the project ought to be terminated, continued or expanded to the Joint Select Committee on Alcoholism Services and the Joint Standing Committee on Education by February 15, 1986.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 28, 1985.

CHAPTER 30

H.P. 1086 - L.D. 1591

AN ACT to Amend the Charter of the Jackman
Sewer District.

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

P&SL 1969, c. 88, §17, first sentence is amended to read:

There shall be a lien to secure the payment of rates and other lawful charges established under section 16 of this Act and legally assessed on real estate within served or benefited by the sewers of the district, which shall take precedence of over all other