

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

**SELECTED
PROCLAMATIONS**

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

AN ACT to Prohibit Mandatory Local Measured Service and to Preserve Affordable Traditional Flat Rate Local Telephone Service at as Low a Cost as Possible.

WHEREAS, the electors of the State of Maine presented to the One Hundred and Twelfth Legislature, in Second Regular Session, an initiated bill entitled,

“AN ACT to Prohibit Mandatory Local Measured Service and to Preserve Affordable Traditional Flat Rate Local Telephone Service at as Low a Cost as Possible,”

under the provisions of Article IV, Part Third, Section 18 of the Constitution of Maine, and

WHEREAS, the Legislature failed to enact such initiated bill as presented, and

WHEREAS, the initiated bill was submitted to the electors for a vote at the general election to be held on the Tuesday following the first Monday in November, 1986, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said initiated bill on November 4, 1986, and reviewed by the Governor on November 24, 1986 that a majority of said votes were in favor of this bill becoming law; namely,

241,894 for, and
178,745 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, in pursuance of the provisions of the Constitution of said State in such case provided, declare said measure adopted, to take effect and become law thirty days after the date of this proclamation.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta the twenty-fifth day of November in the year of our Lord, One Thousand Nine Hundred and Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize a General Bond Issue in the Amount of \$16,000,000 for
Construction and Renovation of Correctional Facilities.

WHEREAS, the One Hundred and Twelfth Legislature of the State of Maine,
in Second Regular Session, by an act entitled,

“AN ACT to Authorize a General Bond Issue in the Amount of
\$16,000,000 for Construction and Renovation of Correctional Facilities,”

passed by a concurrent vote of both branches and approved June 11, 1986, which
said act is known and identified as Chapter 142 of the Private and Special Laws
of 1985, enacted said measure expressly conditioned upon the people’s ratifica-
tion by a referendum vote at the general election to be held on the Tuesday follow-
ing the First Monday in November, 1986, and

WHEREAS, it appears by the return of votes given in by the electors of the various
cities, towns and plantations voting upon said act on November 4, 1986, and
reviewed by the Governor on November 24, 1986, that a majority of said votes
were in favor of this act becoming law; namely,

222,679 for, and
180,787 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of
Maine, in pursuance of the provisions of the Constitution of said State in such
case provided, declare said measure adopted, to take effect and become law thirty
days after the date of this proclamation.

IN TESTIMONY WHEREOF, I have
caused the Great Seal of the State to be
hereunto affixed GIVEN under my hand
at Augusta the twenty-fifth day of
November in the year of our Lord, One
Thousand Nine Hundred and
Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$12,000,000 for Sewer Treatment Facilities.

WHEREAS, the One Hundred and Twelfth Legislature of the State of Maine, in Second Regular Session, by an act entitled,

“AN ACT to Authorize a General Fund Bond Issue in the Amount of \$12,000,000 for Sewer Treatment Facilities,”

passed by a concurrent vote of both branches and approved April 24, 1986, which said act is known and identified as Chapter 121 of the Private and Special Laws of 1985, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the general election to be held on the Tuesday following the first Monday of November, 1986, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act on November 4, 1986, and reviewed by the Governor on November 24, 1986, that a majority of said votes were in favor of this act becoming law; namely,

229,580 for, and
170,584 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, in pursuance of the provisions of the Constitution of said State in such case provided, declare said measure adopted, to take effect and become law thirty days after the date of this proclamation.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta the twenty-fifth day of November in the year of our Lord, One Thousand Nine Hundred and Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 to Provide Funds for School Construction Costs to Meet the Requirements of the Education Reform Act and for the Construction of an Activity Building at Augusta Mental Health Institute.

WHEREAS, the One Hundred and Twelfth Legislature of the State of Maine, in Second Regular Session, by an act entitled,

“AN ACT to Authorize a General Fund Bond Issue in the Amount of \$6,000,000 to Provide Funds for School Construction Costs to Meet the Requirements of the Education Reform Act and for the Construction of an Activity Building at Augusta Mental Health Institute,”

passed by a concurrent vote of both branches and approved April 24, 1986, which said act is known and identified as Chapter 122 of the Private and Special Laws of 1985, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the general election to be held on the Tuesday following the first Monday of November, 1986, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act on November 4, 1986, and reviewed by the Governor on November 24, 1986, that a majority of said votes were in favor of this act becoming law; namely,

244,485 for, and
157,472 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, in pursuance of the provisions of the Consitution of said State in such case provided, declare said measure adopted, to take effect and become law thirty days after the date of this proclamation.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta the twenty-fifth day of November in the year of our Lord, One Thousand Nine Hundred and Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize a Bond Issue in the Amount of \$6,000,000 to Deal with Asbestos in State Facilities.

WHEREAS, the One Hundred and Twelfth Legislature of the State of Maine, in Second Regular Session, by an act entitled,

“AN ACT to Authorize a Bond Issue in the Amount of \$6,000,000 to Deal with Asbestos in State Facilities,”

passed by a concurrent vote of both branches and approved June 6, 1986, which said act is known and identified as Chapter 140 of the Private and Special Laws of 1985, enacted said measure expressly conditioned upon the people’s ratification by a referendum vote at the general election to be held on the Tuesday following the first Monday in November, 1986, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act on November 4, 1986, and reviewed by the Governor on November 24, 1986, that a majority of said votes were in favor of this act becoming law; namely,

214,996 for, and
184,759 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, in pursuance of the provisions of the Consitution of said State in such case provided, declare said measure adopted, to take effect and become law thirty days after the date of this proclamation.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta the twenty-fifth day of November in the year of our Lord, One Thousand Nine Hundred and Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize the Issuance of a Bond not Exceeding \$5,000,000 for the Financing of the Maine Inland Fisheries and Wildlife Acquisition Fund.

WHEREAS, the One Hundred and Twelfth Legislature of the State of Maine, in Second Regular Session, by an act entitled,

“AN ACT to Authorize the Issuance of a Bond not Exceeding \$5,000,000 for the Financing of the Maine Inland Fisheries and Wildlife Acquisition Fund,”

passed by a concurrent vote of both branches and approved June 6, 1986, which said act is known and identified as Chapter 138 of the Private and Special Laws of 1985, enacted said measure expressly conditioned upon the people’s ratification by a referendum vote at the general election to be held on the Tuesday following the first Monday in November, 1986, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act on November 4, 1986, and reviewed by the Governor on November 24, 1986, that a majority of said votes were in favor of this act becoming law; namely,

248,891 for, and
151,822 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, in pursuance of the provisions of the Consitution of said State in such case provided, declare said measure adopted, to take effect and become law thirty days after the date of this proclamation.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta the twenty-fifth day of November in the year of our Lord, One Thousand Nine Hundred and Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

AN ACT to Authorize a General Fund Bond Issue in the Amount of \$7,700,000 for Various Projects at the University of Maine.

WHEREAS, the One Hundred and Twelfth Legislature of the State of Maine, in Second Regular Session, by an act entitled,

“AN ACT to Authorize a General Fund Bond Issue in the Amount of \$7,700,000 for Various Projects at the University of Maine,”

passed by a concurrent vote of both branches and approved June 6, 1986, which said act is known and identified as Chapter 139 of the Private and Special Laws of 1985, enacted said measure expressly conditioned upon the people's ratification by a referendum vote at the general election to be held on the Tuesday following the first Monday in November, 1986, and

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said act on November 4, 1986, and reviewed by the Governor on November 24, 1986, that a majority of said votes were in favor of this act becoming law; namely,

227,751 for, and
173,527 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, in pursuance of the provisions of the Consitution of said State in such case provided, declare said measure adopted, to take effect and become law thirty days after the date of this proclamation.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta the twenty-fifth day of November in the year of our Lord, One Thousand Nine Hundred and Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

Proposing Amendments to the Constitution of Maine to Change the Reapportionment Procedures to Reflect Changes in Legislative Procedures and to Specify how the Reapportionment Commission Should Operate.

WHEREAS, the One Hundred and Twelfth Legislature of the State of Maine by a Constitutional Resolution passed by a concurrent vote of both branches April 15, 1986, proposed to the electors of said State the following amendments to the Constitution, to wit:

Article IV, Part First, Section 2 is amended to read:

'Section 2. Number of Representatives; biennial terms; division of the State into districts for House of Representatives. The House of Representatives shall consist of 151 members, to be elected by the qualified electors, and hold their office 2 years from the day next preceding the first Wednesday in December following the general election. The Legislature which convenes in 1983 and every 10th year thereafter shall cause the State to be divided into districts for the choice of one Representative for each district. The number of Representatives shall be divided into the number of inhabitants of the State exclusive of foreigners not naturalized according to the latest Federal Decennial Census or a State Census previously ordered by the Legislature to coincide with the Federal Decennial Census, to determine a mean population figure for each Representative District. Each Representative District, shall be formed of contiguous and compact territory and shall cross political subdivision lines the least number of times necessary to establish as nearly as practicable equally populated districts. Whenever the population of a municipality entitles it to more than one district, all whole districts shall be drawn within municipal boundaries. Any population remainder within the municipality shall be included in a district with contiguous territory and shall be kept intact.'

Article IV, Part First, Section 3, first paragraph is amended to read:

'Section 3. The apportionment plan of the commission established under Article IV, Part Third, Section 1-A shall be submitted to the Clerk of the House no later than 120 calendar days after the convening of the Legislature in which apportionment is required. In the preparation of legislation implementing the plan, the commission, following a unanimous decision by commission members, may adjust errors and inconsistencies in accordance with the standards set forth in this Constitution, so long as substantive changes are not made. The Legislature shall enact the submitted plan of the commission or a plan of its own by a vote of two thirds of the Members of each House within 30 calendar days after the plan of the commission is submitted. Such action shall be subject to the Governor's approval as provided in Article IV, Part Third, Section 2.'

Article IV, Part Second, Section 2, second paragraph is amended to read:

'The apportionment plan of the commission established under Article IV, Part Third, Section 1-A shall be submitted to the Secretary of the

Senate no later than 120 calendar days after the convening of the Legislature in which apportionment is required. In the preparation of legislation implementing the plan, the commission, following a unanimous decision by commission members, may adjust errors and inconsistencies in accordance with the standards set forth in this Constitution, so long as substantive changes are not made. The Legislature shall enact the submitted plan of the commission or a plan of its own by a vote of two thirds of the Members of each House, within 30 calendar days after the plan of the commission is submitted. Such action shall be subject to the Governor's approval as provided in Article IV, Part Third, Section 2.'

Article IV, Part Third, Section 1-A, second paragraph, third sentence is amended to read:

'No action may be taken without a quorum of 8 being present.'

Article IV, Part Third, Section 1-A, third paragraph is amended to read:

'Public members of the commission shall receive the same rate of per diem that is paid to Legislators for every day's attendance at special sessions of the Legislature as defined by law. All members of the commission shall be reimbursed for actual travel expenses incurred in carrying out the business of the commission. The Legislature which is required to apportion shall establish a budget for the apportioning commission within the state budget document in the fiscal year previous to the fiscal year during which the apportioning commission is required to convene and shall appropriate sufficient funds for the commission to satisfactorily perform its duties and responsibilities. The budget shall include sufficient funds to compensate the chairman of the commission and his staff. The remainder of the appropriation shall be made available equally among the political parties represented on the commission to provide travel expenses, incidental expenses and compensation for commission members and for partisan staff and operations.'

WHEREAS, it appears by the return of votes given in by the electors of the various cities, towns and plantations voting upon said amendments as directed in the aforementioned Constitutional Resolution at the general election held on November 4, 1986, and reviewed by the Governor on November 24, 1986, that a majority of said votes were in favor of this amendment; namely,

250,609 for, and
130,410 opposed;

NOW, THEREFORE, I, JOSEPH E. BRENNAN, Governor of the State of Maine, do proclaim the Constitution of the State of Maine amended as proposed in accordance with the provisions of this said Constitutional Resolution, the amendment shall hereupon as of the date of this proclamation become a part of the Constitution.

IN TESTIMONY WHEREOF, I have caused the Great Seal of the State to be hereunto affixed GIVEN under my hand at Augusta the twenty-fifth day of November in the year of our Lord, One Thousand Nine Hundred and Eighty-six.

JOSEPH E. BRENNAN
GOVERNOR

By the Governor:

Secretary of State