

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

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Chapters 1-542

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PUBLIC LAWS

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are available, establishment of the rights of long-term mentally ill clients containing the following requirements:

- (1) The right to a service system which employs culturally normative and valued methods and settings;
- (2) The right to coordination of the disparate components of the community service system;
- (3) The right to individualized developmental programming which recognizes that each long-term mentally ill individual is capable of growth or slowing of deterioration;
- (4) The right to a continuum of community services allowing a gradual transition from a more intense level of service; and
- (5) The right to the maintenance of natural support systems, such as family and friends of the long-term mentally ill individual and formal and informal networks of mutual and self-help.

Sec. 3. 34-B MRSA §3601, sub-§§1-A and 1-B are enacted to read:

1-A. Case management services. "Case management services" means those services which assist an individual in gaining access to and making effective use of the range of medical, psychological and other related services available to them.

1-B. Long-term mentally ill. "Long-term mentally ill" means persons who suffer certain mental or emotional disorders, such as organic brain syndrome, schizophrenia, recurrent depressive and manic-depressive disorders, paranoid and other psychoses, plus other disorders which may become chronic, that erode or prevent the capacities in relation to 3 or more of the primary aspects of daily life, such as personal hygiene and self-care, self-direction, interpersonal relationships, social transactions, learning, recreation and economic self-sufficiency. While these persons may be at risk of institutionalization, there is no requirement that these persons are or have been residents of institutions providing mental health services.

Effective September 29, 1987.

CHAPTER 247

H.P. 83 — L.D. 86

AN ACT to Divest State Pension Funds from those Businesses or Corporations doing Business in the Republic of South Africa and Namibia.

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

Sec. 1. 5 MRSA §135, first ¶, as amended by PL 1985, c. 757 and c. 785, Pt. A, §6, is repealed and the following enacted in its place:

The Treasurer of State may deposit the money, including trust funds of the State, in any of the banking institutions or trust companies or state or federal savings and loan associations or mutual savings banks organized under the laws of this State or in any national bank or banks or state or federal savings and loan associations located in the State, except as provided in chapter 161. When there is excess money in the State Treasury which is not needed to meet current obligations the Treasurer of State may, with the concurrence of the State Controller or the Commissioner of Finance and with the consent of the Governor, invest those amounts in bonds, notes, certificates of indebtedness or other obligations of the United States which mature not more than 24 months from the date of investment or in repurchase agreements secured by obligations of the United States which mature within the succeeding 24 months, prime commercial paper, tax-exempt obligations or banker's acceptances. The Treasurer of State may participate in the securities loan market by loaning state-owned bonds, notes or certificates of indebtedness of the Federal Government, provided that the loans are fully collateralized by treasury bills or cash. The Treasurer of State shall seek competitive bids for investments except when, after a reasonable investigation, it appears that an investment of the desired maturity is procurable by the State from only one source. Interest earned on those investments of money shall be credited to the respective funds, except that interest earned on investments of special revenue funds shall be credited to the General Fund of the State. Interest earned on funds of the Department of Inland Fisheries and Wildlife shall be credited to that fund. Interest earned on funds of the Baxter State Park Authority shall be credited to the Baxter State Park Fund. This section shall not prevent the deposit for safekeeping or custodial care of the securities of the several funds of the State in banks or safe deposit companies in this State or any other state, nor the deposit of such state funds as may be required by the terms of custodial contracts or agreements as may be negotiated in accordance with the laws of this State. All custodial contracts and agreements shall be subject to the approval of the Governor.

Sec. 2. 5 MRSA §138, first ¶, as amended by PL 1985, c. 785, Pt. A, §7, is further amended to read:

The Treasurer of State, with the approval of the Commissioner of Finance, the Bank Superintendent and the Attorney General, shall invest all permanent funds held in trust by the State in such securities as are legal investments for savings banks under Title 9-B, except as provided in chapter 161. This section shall not apply to the fund of the Employees' Retirement System or the fund arising from the lands reserved for public uses.

Sec. 3. 5 MRSA §139, first ¶, as amended by PL 1985, c. 785, Pt. A, §10, is further amended to read:

The Treasurer of State, with the approval of the Commissioner of Finance, the Bank Superintendent and the Commissioner of Educational and Cultural Services, shall invest and reinvest the principal of all funds derived or that may be derived from the sale and lease of lands reserved for public uses in accordance with the laws of the State governing the investment of funds of savings banks, as enumerated in Title 9-B, except as provided in chapter 161.

Sec. 4. 5 MRSA c. 161 is enacted to read:

CHAPTER 161

DIVESTITURE OF STATE FUNDS

§1951. Republic of South Africa; Namibia

After July 1, 1992, no state funds, including trust funds of the State and funds created pursuant to chapter 101, may be:

1. Banks and financial institutions. Invested or remain invested or be deposited or remain deposited in any bank or financial institution which directly or through its subsidiaries, affiliates or parent has outstanding loans or existing lines of credit to:

A. The Republic of South Africa or its instrumentalities; or

B. Namibia or its instrumentalities; or

2. Corporations; companies. Invested or remain invested in the stocks, securities or other obligations of any corporation, company or subsidiary, affiliate or parent of any corporation or company doing business in or with:

A. The Republic of South Africa or its instrumentalities; or

B. Namibia or its instrumentalities.

§1952. Review of investments

Prior to July 1, 1988, the Treasurer of State and the Board of Trustees of the State Retirement System shall review state investment policies and current investments to determine those investments which are in violation of section 1951.

§1953. Index funds and other short-term investment funds

Until South Africa free short-term investment funds which commingle commercial paper or futures and other investment or index funds which represent a broad representation of the market are available, they are exempt from the restrictions imposed by section 1951.

§1954. Stock-share votes

Until July 1, 1992, the State shall use its stock-share vote in the proceedings or business practices of any bank, financial institution or corporation or company which does business in South Africa or Namibia to vote for that company to divest its holdings in South Africa or Namibia.

Sec. 5. 5 MRSA §17103, sub-§11, ¶¶A and B, as enacted by PL 1985, c. 801, §§5 and 7, are amended to read:

A. A discussion of any areas of policy or administration which, in the opinion of the board, should be brought to the attention of the committee; ~~and~~

B. Any proposed legislation amending the retirement system law which the board recommends to improve the retirement system; ; and

Sec. 6. 5 MRSA §17103, sub-§11, ¶C is enacted to read:

C. A discussion of the progress toward meeting the goals of chapter 161.

Effective September 29, 1987.

CHAPTER 248

H.P. 1213 — L.D. 1655

AN ACT to Amend the Liquor Laws as they Pertain to State Brewers.

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

28-A MRSA §1355, sub-§1-A is enacted to read:

1-A. Breweries. The following provisions apply to the manufacturer's license issued to a brewery, other than a small Maine brewery licensed under subsection 2.

A. The holder of a brewery license may produce malt liquor in an amount exceeding 50,000 gallons a year.

B. The holder of a brewery license may permit sampling of the malt liquor product on the premises:

(1) By employees for the purpose of quality control of the product;

(2) By wholesalers for the purpose of determining whether to carry the brewery's product as a wholesale product, provided that the excise tax on any product sampled is paid before sampling; and

(3) By the public in conjunction with a tour of the brewery's facilities, provided that:

(a) The excise tax on any product sampled is paid before sampling; and