

# 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

December 3, 1986 to June 30, 1987

Chapters 1-542

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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section.

Sec. 2. 12 MRSA §9703, as enacted by PL 1979, c. 545, §3, is amended to read:

§9703. Partial payment of costs of suppressing forest fires

Any person who intentionally or negligently causes a fire which burns forest, brush, grass or other lands or intentionally fails to take reasonable action to control a fire on his own land shall be liable civilly up to a maximum of \$2,000 of the suppression costs to the State or municipality which aids in suppressing the same. Compliance with an approved plan pursuant to section 9405 does not relieve a railroad company of liability under this section.

Effective September 29, 1987.

## CHAPTER 465

S.P. 502 — L.D. 1519

### AN ACT to Amend the Laws Relating to the Maine State Museum.

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

Sec. 1. 27 MRSA §85, as amended by PL 1985, c. 785, Pt. B, §124, is repealed.

Sec. 2. 27 MRSA §85-A is enacted to read:

§85-A. Powers and duties of Museum Director

The Museum Director shall have the powers and duties established under the following provisions governing the administration and operation of the Maine State Museum activities:

1. Duties prescribed. To perform the duties which are prescribed for him by the commission;

2. Administration. To administer the office of Museum Director. In exercising his administration, the Museum Director shall promulgate operating policies, establish organizational and operational procedures and exercise supervision of museum activities. He shall employ, subject to the Civil Service Law and the approval of the Commissioner of Educational and Cultural Services, such assistants as may be necessary to carry out the purposes of this chapter. The Museum Director shall adopt a seal for use in the official business of the museum;

3. Rules. To promulgate such rules as necessary to effectuate the purposes of this chapter. No unreasonable restrictions or limitations shall be imposed on the use of museum records or objects that are defined by law as records or objects open to public inspection. With the

exception of matters concerning collections security and preservation, decisions made by the director concerning access, use and reproduction of museum collections may be appealed to the commission within 30 days for final determination by the commission;

4. Acceptance of gifts and bequests. To accept gifts, bequests and endowments for purposes consistent with the purposes of this chapter. Any funds, if given as an endowment or trust, shall be invested by the Treasurer of State according to the laws governing the investment of trust funds. All gifts, bequests and proceeds of endowment funds shall be used solely to carry out the purposes for which they were made;

5. Biennial report. To report biennially to the Governor and Legislature facts and recommendations relating to the work and needs of his office.

6. General. To carry out the policies and directives of the Maine State Museum Commission;

7. Collection. To institute and maintain a program of systematic collection in the several fields of museum activity with particular emphasis on those fields relating to this State;

8. Preservation and restoration. To preserve, identify, catalogue, document and safeguard the collections of the museum;

9. Research and publications. To carry on research to increase knowledge in the several fields of museum activity and to provide interpretive and information services, including the dissemination and recording of information gathered through research. Protection through copyright law may be obtained;

10. Information. To provide reference services to individuals and local historical, natural history, scientific and other groups and societies interested in museum activities;

11. Exhibitions. To exhibit the collections of the museum, including permanent and temporary exhibits, and to provide a loan service for films, artifacts, specimens and other exhibits of the museum to such persons, groups and schools and under such terms and conditions as determined by the director;

12. Services. To provide ancillary museum services such as operation of a museum library, consultation concerning museum activities, sale of publications, provision of speakers, participation in special events and any other activities which will promote the effectiveness of the museum.

13. Educational stipends. To provide educational field school opportunities in concert with archaeological and conservation projects by providing educational stipends from funds secured from nongeneral fund sources.

Sec. 3. 27 MRSA §89, as enacted by PL 1971, c. 544, §84, is amended to read:

§89. Publication fund

1. Revolving fund. There is established within the Maine State Museum a revolving fund for the use of the museum to cover acquisition, printing and distribution costs for scientific, historical and educational literature and for services offered by the museum for which a charge is made.

2. Prices and rates. The director is authorized to fix the price prices and rates at which publications, services or related items may be sold and delivered. The museum shall receive without charge 15% of all such publications for complimentary distribution.

3. Certain materials. The director is authorized to purchase, establish the price and sell through the museum sales program pertinent handcraft, educational or publication materials procured from outside sources. Proceeds from such sales shall be utilized to restock materials for resale and to support the publications program as defined in subsection 1.

4. Income. Income from sale of publications shall be credited to the revolving fund, to be used as a continuing carrying account to carry out the purposes of subsection 1 or as excepted by the conditions of subsection 3.

Sec. 4. 27 MRSA §90-A is enacted to read:

§90-A. Reproductions of museum collections

1. Authorization. The Maine State Museum may enter into licensing or similar arrangements for reproductions of selected items from the museum collections.

2. Fees; royalties. Income received from those arrangements, including the sale of reproductions directly or indirectly through vendor arrangements, shall be credited to the General Fund.

Effective September 29, 1987.

## CHAPTER 466

S.P. 417 — L.D. 1275

### AN ACT to Enhance the Maine Job Training Partnership Program.

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

Sec. 1. 26 MRSA chapter 25, first 2 lines, are repealed and the following enacted in their place:

CHAPTER 25

## JOB TRAINING PARTNERSHIP

### SUBCHAPTER I

#### GENERAL PROVISIONS

Sec. 2. 26 MRSA §2004, first ¶, as enacted by PL 1983, c. 258, §1, is repealed and the following enacted in its place:

The joint standing committee of the Legislature having jurisdiction over economic development matters:

Sec. 3. 26 MRSA chapter 25, sub-c. II is enacted to read:

### SUBCHAPTER II

#### JOB TRAINING PROGRAM

##### §2011. Funds

All funds under this subchapter shall be distributed among the State's 2 Job Training Partnership Act service delivery areas. Funds will be allocated to the State's 2 private industry councils serving all counties. The Department of Labor shall distribute these funds to the private industry councils, in the 2 service delivery areas, on a county-based formula determined by the Department of Labor.

##### §2012. Local plans

Each private industry council shall operate programs under this subchapter based on an annual plan. The annual plan shall reflect local needs, program strategies and activities, training and services, projected expenditures and anticipated outcomes.

1. Submission of plan to Governor. Each private industry council shall submit its annual plan to the Governor according to the requirements of section 1004, "Job Training Plan" and section 105, "Review and Approval of Plan" of the United States Job Training Partnership Act, Public Law 97-300, before funds may be provided to the private industry council under this subchapter.

A. The Commissioner of Labor shall adopt rules to implement the provisions of this subchapter in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375.

B. The commissioner shall provide for public notice and comment with respect to the plan to be submitted to the Governor. The public notice and comment procedures shall be consistent with those procedures established in the Maine Administrative Procedure Act, Title 5, chapter 375.

2. Publication of plan. Each private industry council shall publicize its annual plan by making it available to local education agencies, local economic development