

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

All Other	\$ 39,183	
Capital Expenditures	21,875	
JUDICIAL DEPARTMENT		
TOTAL	\$ 61,058	
<u>PUBLIC SAFETY, DEPARTMENT OF</u>		
Criminal Justice Academy		
Positions	(1)	(1)
Personal Services	\$ 32,326	\$ 33,012
All Other	146,594	146,488
Drug Trafficking Enforcement		
Personal Services	108,773	115,189
All Other	40,824	42,824
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	\$ 328,517	\$ 337,513
CRIMINAL JUSTICE BLOCK GRANT		
TOTAL	\$ 625,406	\$ 494,024
<u>ANTI-DRUG ABUSE ACT 1986 --</u>		
<u>BLOCK GRANT</u>		
<u>PUBLIC SAFETY, DEPARTMENT OF</u>		
Criminal Justice -- Drug Abuse Grant		
Positions	(2)	(3)
Personal Services	\$ 55,050	\$ 81,700
All Other	1,162,650	1,140,300
Capital Expenditures	14,300	
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	\$ 1,222,000	\$ 1,222,000
ANTI-DRUG ABUSE ACT 1986 --		
BLOCK GRANT		
TOTAL	\$ 1,222,000	\$ 1,222,000
TOTAL BLOCK GRANT		
ALLOCATIONS	\$80,108,521	\$80,130,504

Sec. 3. Additional funds. Any additional funds that might become available due to implementation of the block grants and the possible overlapping of other grants shall be carried forward for future allocation by the Legislature or may be used to offset any possible reductions in the block grants.

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

Sec. 5. Encumbered balances at year end. At the end of each fiscal year, all encumbered balances shall not be carried more than once, except that encumbered balances in the Community Development Block Grant may be carried twice and encumbered balances of grant awards for capital construction projects may carry until the completion of the project, provided that the construction was started prior to the end of the year for which the allocation was made.

Sec. 6. Transfer of Anti-Drug Abuse Act of 1986 -- Block Grant Funds. The Department of Public Safety is hereby authorized to transfer such portions of Anti-Drug Abuse Act 1986 Block Grant Funds to other state departments as may be necessary to meet the State's obligations under the terms of the block grant.

Sec. 7. Maternal and Child Health Block Grant Allocations. Allocations to maternal and child health under the Maternal and Child Health Block Grant include \$24,000 in fiscal years 1987-88 and 1988-89 for the Chester Dental Clinic and \$25,000 in fiscal years 1987-88 and 1988-89 for the Hartland Health Center. Allocations for these purposes shall be incorporated into future budget preparations.

Sec. 8. Educational and Cultural Services Block Grant Allocations. Allocations to Education Block Grant -- Education Consolidation and Improvement Act, chapter 2 (20% share) under the Educational and Cultural Services Block Grant include \$20,000 in fiscal year 1987-88, and \$25,000 in fiscal year 1988-89 to match General Fund appropriations to be used to assure education of teachers to conduct a comprehensive health education curriculum that includes family life and sexuality and education.

Sec. 9. Maternal and Child Health Block Grant Allocations. Allocations to maternal and child health under the Maternal and Child Health Block Grant include funds to provide for a media campaign which persuades unmarried teenagers to postpone sexual activity.

Sec. 10. Alcohol and Drug Abuse Block Grant Allocations. Allocations to alcoholism and drug abuse prevention -- human services under the Alcohol and Drug Abuse Block Grant include an additional \$20,000 in fiscal year 1987-88 and in fiscal year 1988-89 for substance abuse prevention, education and treatment services to Indians in Maine.

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

Effective June 24, 1987.

CHAPTER 45

S.P. 615 — L.D. 1815

AN ACT to Correct Errors and Omissions in the Legislation Implementing Collective Bargaining Agreement for Maine Vocational-Technical Institute System Employees.

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

Whereas, certain obligations incidental to the operation of state collective bargaining agreements will be

come due immediately; and

Whereas, it is the responsibility of the Legislature to act upon those portions of tentative collective bargaining agreements negotiated by the Executive Branch on behalf of Maine Vocational-Technical Institute System employees which require legislative action; and

Whereas, the Governor and the Legislature also share a desire to address the needs of certain Maine Vocational-Technical Institute System employees excluded from collective bargaining units on a timely basis; 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:

Lump sum payments. The 4% lump sum payments to be provided to confidential and bargaining unit employees of the Maine Vocational-Technical Institute System pursuant to Private and Special Law 1987, chapter 23, shall not be considered to be earnable compensation under the Maine State Retirement System, except as follows. With respect to any lump sum payment made pursuant to Private and Special Law 1987, chapter 23, an employee of the Vocational-Technical Institute System who retires within 3 years of July 1, 1986, may pay to the Maine State Retirement System the amount of the employer's and the employee's contributions established by the Maine Revised Statutes, Title 5, sections 17154, 17701 and 17702, which would be payable on the 4% sum if it were earnable compensation. Upon payment of these amounts, in accordance with the rules established by the Board of Trustees of the Maine State Retirement System, the employee shall be entitled to consideration of the 4% sum for purposes of average final compensation.

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

Effective June 24, 1987.

CHAPTER 46

S.P. 607 — L.D. 1797

AN ACT to Provide for a Comprehensive Study of the Feasibility of Providing Detention Facility Services for Aroostook County by Private Contract.

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

Aroostook County Detention Facility Study Committee. An Aroostook County Detention Facility Study

Committee shall be composed of the following members: Two Senators appointed by the President of the Senate; 5 Representatives to be appointed by the Speaker of the House; one Aroostook County Commissioner and 3 members of the public appointed jointly by the President of the Senate and Speaker of the House; the Aroostook County Sheriff, or his designee, and the District Attorney serving Aroostook County, or his designee.

The chairman shall be designated from among the membership jointly by the President of the Senate and the Speaker of the House.

The appointing authorities shall notify the Executive Director of the Legislative Council of the appointments.

The members may meet in Aroostook County. They shall be compensated for actual expenses from the county contingency fund.

The committee shall undertake a comprehensive study of the feasibility and practicality of providing detention facility services for Aroostook County by private contract, including: The scope and nature of services to be provided; the cost and methods of funding; the necessary revisions of law or rule required; the methods of reviewing, administering and accounting for these services and the source, means and amount of funding.

The committee may make recommendations to the county delegation.

Effective September 29, 1987.

CHAPTER 47

S.P. 320 — L.D. 949

AN ACT to Provide Funds for the Maine State Police Publication and Continuing Education.

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

Sec. 1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1987-88 1988-89

PUBLIC SAFETY, DEPARTMENT OF

State Police

All Other \$1,250 \$1,250

Provides a 25% General Fund match to produce Maine State Police publication, to include new laws, and for continuing education.

Sec. 2. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.