

# 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.

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Twin City Printery  
Lewiston, Maine  
1989

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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**CHAPTER 51**

H.P. 1340 — L.D. 1832

**AN ACT Making Allocations Related to the Alcoholism Prevention, Education, Treatment and Research Fund for the Expenditures of State Government for the Fiscal Year Ending June 30, 1988.**

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the department will become due and payable on or immediately after July 1, 1987; 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. Allocation of Alcoholism Prevention, Education, Treatment and Research Fund.** Income to the Alcoholism Prevention, Education, Treatment and Research Fund for the next fiscal year, from July 1, 1987, to June 30, 1988, shall be segregated, apportioned and disbursed as designated in the following schedule:

	<u>1987-88</u>
<u>CORRECTIONS, DEPARTMENT OF</u>	
Correctional Services	
Positions	(4)
Personal Services	\$ 105,939
All Other	409,774
DEPARTMENT OF CORRECTIONS	
TOTAL	<u>\$ 515,713</u>
<u>EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF</u>	
Alcohol and Drug Education Services	
Positions	(16)
Personal Services	\$ 454,657
All Other	559,474
Capital Expenditures	28,645
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES	
TOTAL	<u>\$1,042,776</u>
<u>HUMAN SERVICES, DEPARTMENT OF</u>	
Alcohol and Drug Planning	

Positions	(1)
Personal Services	\$ 43,365
All Other	47,835
Capital Expenditures	500
Total	<u>\$ 91,700</u>
Alcohol and Drug Abuse Prevention	
All Other	2,884,994
DEPARTMENT OF HUMAN SERVICES	
TOTAL	<u>\$2,976,694</u>
<u>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</u>	
Mental Health Services — Community	
Positions	(1)
Personal Services	\$ 31,139
All Other	768,368
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION	
TOTAL	<u>\$ 799,507</u>
TOTAL ALLOCATIONS	<u>\$5,334,690</u>

**Sec. 2. Coordination.** The Department of Corrections, Department of Educational and Cultural Services, Department of Human Services and Department of Mental Health and Mental Retardation shall coordinate, to the greatest extent possible, their goals, education, treatment, training, prevention and research programs. Before expending any educational and training funds, a department shall submit the plans for the program to the Alcohol and Drug Planning Committee established by the Legislature to ensure coordination of policy and service.

**Sec. 3. Accountability.** The Alcohol and Drug Planning Committee shall report to the Legislature on or before the first day of each regular session of the Legislature the actions taken by the departments pursuant to the allocations made from this fund. The report shall include a description of each program and actions taken expending funds for alcoholism prevention, training, education, treatment and research. The funds expended shall be identified as to source, whether federal, state or private grants. In addition, the committee shall provide a report on drug abuse, including a description of all programs and expenditures of all funds. The reports may include recommendations and outline issues which the Legislature, departments and the committee may wish to address.

**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.

**Sec. 6. Study.** The Joint Standing Committee on Appropriations and Financial Affairs shall conduct a study concerning the manner by which alcoholism and other substance abuse services are currently funded by State Government. The committee shall also evaluate alternative methods of funding these services.

The committee may organize a subcommittee to investigate these issues.

The committee members shall receive the legislative per diem rate, as defined in the Maine Revised Statutes, Title 3, section 2. Members shall be reimbursed for expenses upon application to the Executive Director of the Legislative Council.

The committee shall issue a report, together with any proposed legislation, to the Second Regular Session of the 113th Legislature by February 1, 1988.

**Sec. 7. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

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Study Commissions — Funding

Personal Services	\$ 1,815
All Other	3,550
<b>Total</b>	<b>\$ 5,365</b>

Provides funds for up to 13 members of the Joint Standing Committee on Appropriations and Financial Affairs to conduct a study of funding for alcoholism and other substance abuse services. Also provides funds for a full committee meeting to review the subcommittee's report.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1987.

Effective July 1, 1987.

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**CHAPTER 52**

H.P. 1216 — L.D. 1659

**AN ACT to Amend the Charter of the Lincoln Water District.**

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

Whereas, this legislation affects the procedures which the Lincoln Water District trustees are to follow before calling a meeting;

Whereas, these changes should be in effect before the next meeting of the Lincoln Water District, presently scheduled for mid-May; 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. P&SL 1949, c. 116, §10, as amended by P&SL 1981, c. 104, §6, is repealed and the following enacted in its place:**

Sec. 10. Annual meeting of district. After the acceptance of this charter and the organization of the board, the annual meeting of the district shall be held within the district on the 2nd Tuesday in May, at such hour and place as may be designated by resolution of the board of trustees as provided in the bylaws. Notice of the meeting shall be published in a local newspaper and in a daily newspaper of local circulation not less than 7 days before the meeting. The board may schedule regular meetings as it determines necessary with notice provided in a like manner. Emergency meetings of the board may be called by the chairman or any 2 trustees as necessary without that published notice, but the notice shall be posted at the offices of the Town of Lincoln and the local media shall be provided with the same notice as the board of trustees. All meetings of the board shall be subject to the Maine Revised Statutes, Title 1, chapter 13. Issuance of bonds and notes by the district is subject to Title 35-A, section 6304. Rate changes by the district shall not be proposed without notice and public hearing in accordance with Title 35-A, section 6104.

**Sec. 2. P&SL 1949, c. 116, §11, as amended by P&SL 1981, c. 104, §7, is repealed.**

**Sec. 3. P&SL 1949, c. 116, §13, as amended by P&SL 1981, c. 104, §9, is amended to read:**

**Sec. 13. Authorized to negotiate temporary loans; and to issue notes and bonds; declared a quasi-municipal corporation; notes and bonds legal investment for savings banks.** For accomplishing the purposes of this act, said district, through its trustees, without the necessity of a vote of the inhabitants of said district, except as provided in section 10, is authorized to borrow money from time to time, not exceeding \$2,000,000 and to issue therefor, the interest-bearing negotiable notes of the district, maturing serially or otherwise, and to make subsequent renewals of the same in whole or in part, and for said purposes and for the purpose of refunding any notes, bonds or other lawful indebtedness to establish a fund therefor. For obtaining or providing money to pay or to meet any necessary expenses and liabilities under the provisions of this Act, including expenses in the creation of this district, in