

# 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  
SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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Maine Seed Potato Board

All Other \$30,000

This appropriation provides funds for the  
Seed Potato Breeding Program.

Effective August 4, 1988.

## CHAPTER 129

H.P. 1914 — L.D. 2613

### AN ACT to Establish the Maine Information Commission on Agent Orange and Radiation.

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

Whereas, in order for the commission to complete the initial phase of its work before the First Regular Session of the 114th Legislature; 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. Commission established.** The Maine Information Commission on Agent Orange and Radiation is established. The commission shall consist of 7 members, 3 of whom shall be appointed by the Governor to include 2 Vietnam veterans and one atomic veteran as defined in section 2; one veteran appointed by the Governor from a list of 3 veterans selected by the Maine Veterans' Coordinating Committee; and the Director of Disease Control or the director's designee. The President of the Senate shall appoint a member of the Senate and the Speaker of the House shall appoint a member of the House of Representatives. The President of the Senate and the Speaker of the House shall jointly appoint one of the members as chairman.

**Sec. 2. Definitions.** For the purposes of this Act, the following terms have the following meanings.

1. "Atomic veteran" means a person who:

A. Participated in the occupation of Japan between August 1, 1945 and August 1, 1946;

B. Was an American prisoner of war used by the Japanese to clean up Hiroshima or Nagasaki prior to the surrender of the Japanese empire; or

C. Was a veteran of the Armed Forces of the United States who participated in the atmospheric testing of nuclear weapons.

2. "Radiation" means any fissionable material used in the composition of a nuclear weapon and any fissionable material created as a result of a nuclear detonation.

3. "Toxic chemicals" means any of those insecticides and herbicides used in Southeast Asia during the Vietnam War, including, but not limited to:

A. Agent Orange containing trichlorophenoxy acetic acid and dichlorophenoxy acetic acid;

B. Agent White, containing picloram;

C. Agent Blue, containing cacodylic acid, including arsenic;

D. Lindane, mirex, dichlorodiphenyltrichloroethane, chlordane, dieldrin, dapsone, malathion, hexachlorobenzene, dinoxol, trinoxol, diquat, bromacil, monuron, tander and dalapon; and

E. Any form of dioxin or tetrachlorodibenzo-p-dioxin.

4. "Vietnam veteran" means any person who served on active duty in the Armed Forces of the United States during the Vietnam War, August 5, 1964 to May 7, 1975.

**Sec. 3. Tasks to be performed.** The commission shall:

1. Compile information concerning:

A. The use of toxic chemicals in Southeast Asia; and

B. The effect of radiation on atomic veterans and their children;

2. Develop a medical form for a medical history to be used by medical personnel treating Vietnam and atomic veterans and their families to record pertinent medical information. Veterans will be responsible for having the forms completed. In developing the form the commission shall request assistance from the Division of Disease Control and from agencies in other states which are dealing with veterans who have been exposed to Agent Orange or radiation;

3. Develop procedures for the establishment of a registry of all Vietnam veterans and atomic veterans in the State. The registry should establish a data base of information containing the medical history information on veterans and their families;

4. Make an assessment of the availability and adequacy of health and social services for Vietnam and atomic veterans in Maine; and

5. Publicize the existence of the commission and the commission's interest in having Vietnam and atomic veterans who wish to participate in the registry to contact the commission.

**Sec. 4. Report.** The commission shall report to the 113th Legislature by December 1, 1988, on its progress in making contact with veterans and in establishing a registry. The commission shall make written recommendations and proposals as to how the registry should be made an ongoing activity of State Government and how the social services provided to affected veterans could be improved.

**Sec. 5. Meetings.** The commission shall meet as necessary to complete the tasks assigned the commission.

**Sec. 6. Staff assistance.** The commission shall request from the Legislative Council sufficient staff assistance to carry out these duties and may hire outside consultants to conduct all or portions of the study if the commission so chooses.

**Sec. 7. Reimbursement.** All members of the commission shall receive expenses, as defined in the Maine Revised Statutes, Title 5, section 12002, upon application to the Executive Director of the Legislative Council for those expenses.

**Sec. 8. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1987-88

LEGISLATURE

Maine Information Commission on Agent  
Orange and Radiation

All Other \$8,100

Provides funds for travel, computer services and miscellaneous expenses for the commission and a half-time clerk.

**Sec. 9. Sunset.** This Act is repealed on January 15, 1989.

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

Effective April 28, 1988.

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**CHAPTER 130**

S.P. 921 — L.D. 2412

**AN ACT to Require a Study of the Maine Blueberry Commission.**

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

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

1988-89

LEGISLATURE

Study Commission — Funding

Personal Services \$1,400  
All Other 2,200

Total \$3,600

Provides for the per diem, travel and related expenses of a 5-member subcommittee to study the Organization of the Maine Blueberry Commission, authorized by the Legislative Council to fund 3 meetings of the study committee and one meeting of the Joint Standing Committee on Agriculture.

Effective August 4, 1988.

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**CHAPTER 131**

H.P. 1627 — L.D. 2222

**AN ACT to Appropriate Funds for Nonresidential Services in Sheltered Group Homes for Girls.**

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

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

1988-89

HUMAN SERVICES, DEPARTMENT OF

Purchased Social Services

All Other \$185,000

Funds to be used for a one-time across-the-board increase in wages and salaries for staff in St. Andre's Group Homes throughout Maine and the provision of nonresidential services to pregnant teens.

Effective August 4, 1988.

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**CHAPTER 132**

H.P. 1526 — L.D. 2080

**AN ACT to Provide Increased Funding for the Civil Air Patrol.**

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

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