

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
THIRD SPECIAL SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

Sec. 4. Funding. The cost of participating in the pilot projects to school administrative units, which choose to participate in 1987-88 and , 1988-89, and 1989-90 shall be funded through grants from funds appropriated for this purpose ~~on the same matching basis as the division of state and local shares in the unit's state and local allocation in the previous year.~~ For projects which are continued after ~~1988-89~~ 1989-90, the cost of participation to the school administrative unit may be added to the school unit's subsidized cost under the Maine Revised Statutes, Title 20-A, chapter 606.

Any funds not spent by the end of fiscal year 1988-89 shall be carried over and not lapse until the end of fiscal year 1989-90.

Effective December 16, 1988.

CHAPTER 148

H.P. 1964 — L.D. 2661

AN ACT to Amend the Demonstration Teaching Nursing Home Law.

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

Whereas, it is the intent of the Legislature to immediately establish a teaching nursing home project on a demonstration basis with the Maine Veterans' Home, Inc.; 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:

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

1988-89

HUMAN SERVICES, DEPARTMENT OF

Bureau of Maine's Elderly

All Other (\$200,000)

Deappropriates funds originally appropriated in Public Law 1987, chapter 830 to establish a teaching nursing home project on a demonstration basis with the Maine Veterans' Home, Inc.

MAINE VETERANS' HOME

Demonstration Teaching Nursing Home Project

All Other \$200,000

These funds shall be used to establish, on a demonstration basis with the Maine Veterans' Home, Inc., a project utilizing the concept of a teaching nursing home as a mechanism to increase the number of health care providers with improved capabilities to deliver geriatric care to the State's elderly population.

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

Effective September 23, 1988.

CHAPTER 149

H.P. 1994 — L.D. 2696

AN ACT to Protect the Environment around the Union Chemical Company Hazardous Waste Site.

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

Whereas, wastes from the Union Chemical Company hazardous waste spill in Hope, Maine, have entered the ground water beneath the site and have flowed into Quiggle Brook, which borders the site; and

Whereas, a moratorium preventing the commercial use of water in Hobbs Pond, Fish Pond or Quiggle Brook, or any other use of water from those bodies that would significantly draw down their water levels, is essential to ensure that any withdrawal does not adversely affect the safety of the people in the area of the Union Chemical Company site; 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. Moratorium established. No water may be taken or withdrawn from Hobbs Pond, Fish Pond or Quiggle Brook, in Hope, Maine for commercial use and no decision on an application to take water from Hobbs Pond, Fish Pond or Quiggle Brook for commercial use may be made before October 31, 1989, notwithstanding any time requirement for processing or making a decision on an application. The Maine Revised Statutes, Title 1, section 302, shall not apply to any application or proceeding, pending or initiated prior to October 31, 1989.

Sec. 2. Exemption. Notwithstanding section 1, the Town of Hope Fire Department may take or withdraw

water from Hobbs Pond, Fish Pond or Quiggle Brook for the purpose of fighting fires.

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

Effective September 23, 1988.

CHAPTER 150

H.P. 1966 — L.D. 2663

AN ACT to Provide Funds for Safe Collection and Disposition of Obsolete Pesticides.

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

Whereas, the disposition of obsolete household pesticides poses a serious and immediate threat to the environment of this State; and

Whereas, the indiscriminate dumping of such wastes must be stopped by providing emergency funding for safe collection and disposal services on a statewide 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:

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

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Board of Pesticides Control	
All Other	\$100,000

Provides emergency funds to the Board of Pesticides Control for the safe collection and disposal, on a statewide basis, of hazardous household, agricultural and commercial wastes that have been banned by federal law. In administering this program, the board shall make all reasonable efforts to assure that those parts of the State which were not previously served by this program are given priority.

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

Effective September 23, 1988.

CHAPTER 151

H.P. 1997 — L.D. 2699

AN ACT to Authorize the Department of Mental Health and Mental Retardation to Reimburse Extraordinary Costs for Special Needs.

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

Whereas, there is need for an ongoing program of day treatment and residential care services immediately for severely handicapped persons not now eligible for services under this program; and

Whereas, the Department of Mental Health and Mental Retardation is unable to provide the necessary services within its current resources; 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:

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

1988-89

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Community Mental Health Services	
All Other	\$60,000

Funds to be used to develop an ongoing in-state community day treatment and residential program for severely handicapped persons who suffer from deafness and mental illness or retardation, or both, and who are not now eligible for other programs as follows: \$30,000 for personal care assistant, day treatment and interpretive services; and \$30,000 for residential services. If any person receiving services under this Act becomes eligible for Medicaid services, then that portion of unused funds shall lapse to the General Fund. If the program is not developed by the department within 90 days of the effective date of this Act, then these funds shall be used to pay the costs of out-of-state treatment for persons eligible for services under this Act until such time as an in-state program is developed and available.

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

Effective September 23, 1988.