

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

RESOLVES

OF THE

STATE OF MAINE

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

Whereas, to conduct a thorough study, the commission must begin work immediately; 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

Commission established. Resolved: That the Commission on Sport Fisheries is established. The commission shall consist of the following 8 members, appointed in the following manner: Two members from the Joint Standing Committee on Fisheries and Wildlife and 2 members from the Joint Standing Committee on Marine Resources, to be appointed jointly by the President of the Senate and the Speaker of the House; 2 members from the public, representing organizations with an interest in sport fishing, to be appointed by the Governor; and one member from the Department of Inland Fisheries and Wildlife and one member from the Department of Marine Resources, both members being fisheries' management biologists, to be appointed by the Governor. The commission shall select a chairman from within their membership. The first meeting of the commission shall be convened by the chairman of the Legislative Council. All appointments shall be made no later than 10 days following the effective date of this resolve. The Executive Director of the Legislative Council shall be notified by all appointing authorities once their selections have been finalized; and be it further

Study. Resolved: That the commission shall study the State's sport fisheries' management program and subsequently draft recommendations that specifically address the following issues; the feasibility of introducing exotic species into state waters; improving the fisheries with a state-of-the-art hatchery, such as the one on the Salmon River in New York; and alternative sources of funding for these projects; and be it further

Staff. Resolved: That the commission shall request staffing assistance from Legislative Council; and be it further

Report submitted. Resolved: That the commission shall submit its report and any necessary legislation to the Second Regular Session of the 113th Legislature by February 15, 1988; and be it further

Expenses. Resolved: That the commission members who are not state employees shall not receive per diem or compensation for their expenses; and be it further

Allocation. Resolved: That the following funds are allocated from dedicated revenue of the Department of Inland Fisheries and Wildlife to carry out the purposes of this resolve.

LEGISLATURE

Commission on Sports Fisheries

All Other \$2,000

Provides funds for the anticipated costs of the commission.

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

Effective June 19, 1987.

CHAPTER 40

H.P. 1281 — L.D. 1754

Resolve, Requiring the Commissioner of Educational and Cultural Services to Develop a Plan to Improve the State's Adult Education Program to More Adequately Address the Problems of Illiteracy and High School Completion.

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

Whereas, the Joint Select Committee on Economic Development has found that the State and the Department of Educational and Cultural Services have not adequately addressed the problems of illiteracy and high school completion in the State; and

Whereas, there are 238,000 adults in the State lacking a high school diploma and one in 5 Maine adults is functionally illiterate; and

Whereas, basic educational skills will become even more important as the nature of employment changes with the changes in the economy demanding more flexibility and adaptability within the work force; and

Whereas, the State's financial support for adult education programs and the present subsidy formula is inadequate to address the basic education needs of Maine's adults; and

Whereas, employers in the State are becoming increasingly frustrated by an inability to locate and attract employees with adequate education and training, hindering economic growth; and

Whereas, the Joint Select Committee would like to see a plan developed to address the needs of the adult community prior to adjournment of the Second Regular Session of the 113th 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

Report of the Commissioner of Educational and Cultural Services. Resolved: That the Commissioner of Educational and Cultural Services shall review adult education programs and services provided in this State. The commissioner shall report the findings and recommendations for action on ways to increase the level of adult education programs and services to citizens of this State to the Joint Standing Committee on Education and the Joint Standing Committee on Economic Development prior to February 1, 1988. Those recommendations shall include development of an Adult Education Plan to address the recommendations of the Joint Select Committee on Economic Development concerning adult education. The recommendations shall also include necessary implementing legislation and an analysis of the appropriate financial and staff support necessary to implement the plan; and be it further

Guidelines for plan. Resolved: That the Adult Education Plan shall, at a minimum, make recommendations which will:

1. Make available universal adult basic education programs and services to all citizens of this State who need them. This may be achieved by direct provision of services by school administrative units, by contracting with other units or agencies or by other appropriate means;

2. Increase the level of state support for adult education programs and services to address difficulties school administrative units have in providing those services. The objective of this part of the plan is to meet the adult education needs of the citizens of the State without significantly burdening school units. The commissioner may present alternative approaches for consideration by the committees. Among the approaches which the commissioner shall consider for implementation are the related specific recommendations of the Joint Select Committee on Economic Development which will require:

A. Providing all adults access to free public education through grade 12;

B. Subsidizing 75% of the first-year cost to local school units in initiating new and expanded programs for basic literacy and high school completion and allow state participation in the first year to be counted 100% toward the local school units subsidy claim for future years;

C. Funding the state subsidy for adult basic education in sufficient amount to match all local effort; and

D. Funding 100% of the costs of textbooks required for basic literacy and high school completion courses;

3. Address other related issues, including providing dependent care services and for the transportation needs of adult education students; and be it further

Pilot projects. Resolved: That the report of the commissioner may include the recommendation that various parts of the Adult Education Plan be tested during the 1987-88 school year through pilot projects. Detailed specifications for the establishment, conduct and evaluation of and reporting on any pilot projects shall be included in that recommendation; and be it further

Resources. Resolved: That the commissioner shall utilize all appropriate resources available within the department and shall coordinate his efforts with other state departments or agencies, other public and private organizations and interested citizens.

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

Effective June 19, 1987.

CHAPTER 41

H.P. 1293 — L.D. 1771

Resolve, Authorizing the Exchange by the Department of Defense and Veterans' Services of a Certain Parcel of Land in Bangor, Fronting Main Street, for 2 Parcels of Land at the Bangor International Airport, being Part of the Former Dow Air Force Base.

Department of Defense and Veterans' Services; exchange of land in Bangor. Resolved: That the Department of Defense and Veterans' Services, Military Bureau, shall exchange with the City of Bangor a parcel of land fronting Main Street, being the Bangor Armory lot, for 2 parcels of land at the Bangor International Airport. The State shall convey to the City of Bangor as follows:

The rights of the State in:

The Bangor Armory

The rights of the State in a certain lot or parcel of land situated in the City of Bangor, County of Penobscot, together with buildings thereon known as the Bangor Armory and bounded and described as follows:

Beginning at a point on the northwesterly sideline of Main Street one hundred (100) feet distant from the northeasterly sideline of Dillingham Street, measured at right angles to said northeasterly line of Dillingham Street, thence in a generally northeasterly direction on and along said northwesterly side of Main Street four hundred and six (406) feet to a point; thence in a generally westerly direction making an interior angle of ninety-three (93°) degrees twelve and one half (12 1/2') minutes with last named course, one thousand seventy-eight feet and six tenths (1,078.6) feet to a point. Thence in a generally southwesterly direction and making an interior angle of eighty-four (84°) degrees twenty-two and