

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

RESOLVES

OF THE

STATE OF MAINE

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

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 Maine Commission to Review Overcrowding at the Augusta Mental Health Institute and the Bangor Mental Health Institute is established, consisting of 20 members, as follows: The Superintendent of the Augusta Mental Health Institute or a designee; the Superintendent of the Bangor Mental Health Institute or a designee; the Commissioner of Mental Health and Mental Retardation or a designee; the Director of the Bureau of Mental Health or a designee; 10 members appointed jointly by the President of the Senate and the Speaker of the House, to include: A representative of the Maine State Alliance for the Mentally Ill, a representative of the Maine Council of Community Mental Health Services, a representative of the Portland Coalition of the Psychiatrically Labelled, a representative of the Mental Health Advisory Council, a consumer of community mental health services, psychologist, a psychiatrist and 3 members of the public; 4 representatives, appointed by the Speaker of the House; and 2 Senators, appointed by the President of the Senate; and be it further

Reports. Resolved: That the commission shall submit a report with any accompanying legislation to the Legislature by December 1, 1987, detailing conditions and practices at these 2 mental health institutes and making recommendations directed at alleviating these conditions and detailing results and recommendations of the study of community mental health and support services; and be it further

Issues studied. Resolved: That the commission shall examine overcrowding at the Augusta Mental Health Institute and the Bangor Mental Health Institute, including: The adequacy of programming and treatment alternatives for residents; the adequacy of current facilities, including space and environmental requirements, staffing patterns and patient-staff ratios; the impact of overcrowding on institution staff; safety of patients and community; community treatment and support services vital to the ongoing care of the mentally ill; the existing availability and scope of these community services; the relationship between the adequacy of these services and the existing conditions at the Augusta Mental Health Institute and the Bangor Mental Health Institute; and other issues determined by the commission; and be it further

Meetings. Resolved: That the commission meet as necessary to study the issues through examination of data, consultation with staff and recognized experts and conduct public hearings; and be it further

Reports. Resolved: That the commission shall submit a report with any accompanying legislation to the Legislature in 2 parts. The first part shall be submitted on or before December 1, 1987, detailing conditions

and practices at these 2 mental health institutes and making recommendations directed at alleviating these conditions. The 2nd part shall be submitted on or before September 1, 1988, detailing results and recommendations of the study of community mental health and support services; and be it further

Staff assistance. Resolved: That the commission shall request from the Legislative Council sufficient staff assistance to carry out these duties and is authorized to hire outside consultants to conduct all or portions of the study if they so choose; and be it further

Reimbursement. Resolved: That the members of the commission who are Legislators shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at commission meetings. 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; and be it further

Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1987-88

LEGISLATURE

Maine Commission to Review Overcrowding at the Augusta Mental Health Institute and the Bangor Mental Health Institute

Personal Services	\$3,300
All Other	7,000

Total	<u>\$10,300</u>
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Provides funds for the per diem, travel, printing and miscellaneous expenses of the commission. No funds are provided for consulting services.

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

Effective June 26, 1987.

CHAPTER 57

S.P. 316 — L.D. 918

Resolve, to Support Dioxin Research by the Bureau of Health.

Study required. Resolved: That in order to provide an objective, ongoing source of information to the State's sludge and ash landspreading programs, the Environmental Health Unit of the Bureau of Health in the Department of Human Services shall conduct a study of dioxin

contamination and possible biological pathways in the environment. The study shall be designed and conducted in consultation and in conjunction with the Maine Agricultural Experimental Station, Department of Agriculture, Food and Rural Resources, Department of Environmental Protection, United States Environmental Protection Agency, Cobbossee Watershed District, the National Council for Air and Stream Improvement and Monmouth town officials. In order to minimize environmental contamination with dioxin, research shall be conducted either: (1) In field plots that are currently being amended with dioxin-contaminated sludge, in which case rates or sludge applications shall not be increased for the purposes of this research above those currently permitted; (2) In impermeable containers set out in a field that shall be removed at the conclusion of the experiment; and (3) In pots maintained in a greenhouse. The objective of the study shall be to investigate the environmental fate of sludge-borne dioxin in terms of the uptake of dioxin by agricultural crops and the persistence of dioxin in soil. Information obtained from this study will be made public and subject to peer review. The Environmental Health Unit shall assess the significance of the findings in light of environmental and public health concerns over the landspreading of dioxin-contaminated sludge. The unit shall report annually on its progress and shall report its findings, together with any recommendations to the Legislature, on or before January 1, 1990; and be it further

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

	1987-88
<u>HUMAN SERVICES, DEPARTMENT OF</u>	
Bureau of Health, Environmental Health Unit	
All Other	\$20,000
These funds are to be used to carry out a dioxin contamination study with field research at Highmoor Farm in conjunction with existing University of Maine Research. Funds appropriated for this purpose shall carry forward to June 30, 1989.	

Effective September 29, 1987.

CHAPTER 58

H.P. 1373 — L.D. 1875

Resolve, to Make Adjustments in the York County Budget.

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

Whereas, York County has certain expenses and liabilities which must be met as they become due; and

Whereas, this legislation must be enacted as an emergency measure as York County has already begun its fiscal year and adjustments must be made immediately to the county budget; 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

Resolve 1987, chapter 23. Resolved: That Resolve 1987, chapter 23 is repealed and the following enacted in its place:

; and be it further

Sec. 1. York County; taxes apportioned. Resolved: That the following sum is granted as a tax on York County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized herein, and for other purposes of law, for the calendar year 1987:

1987 TAX

\$2,582,164

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums, based on the county budget filed in the office of the Secretary of State, are authorized as General Fund expenditures by the county during the calendar year 1987, in the specific total amounts of expenditures for personal services, contractual services, commodities and capital expenditures for each account in the county budget:

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>APPROPRIATIONS</u>
1005 — Superior Court	
Contractual Services	\$91,817
1010 — Civil Emergency Preparedness	
Personal Services	39,657
Contractual Services	12,550
Commodities	4,425
Capital Expenditures	3,000
1015 — District Attorney	
Personal Services	181,377
Contractual Services	85,100
Commodities	14,400
Capital Expenditures	6,200
1020 — County Commissioners and Treasurer	
Personal Services	89,694
Contractual Services	35,625
Commodities	3,550
Capital Expenditures	750

The commissioners shall receive \$75 for each meeting