

# 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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**RESOLVES**

OF THE

**STATE OF MAINE**

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

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architect selected with the advice of the Maine Chapter of the American Society of Landscape Architects, one of whom shall be a scholar in an architecturally related discipline selected with the advice of Maine's colleges and universities and one of whom shall be a member of the public; one member of the Capitol Planning Commission appointed by the chairman of that commission; one member of the Maine Arts Commission appointed by the chairman of that commission; one representative of the City of Augusta to be appointed by that city's mayor; one member of the Maine Trial Lawyers Association to be appointed by that group; one member of the Maine Bar Association to be appointed by that group; and one architectural critic from a state newspaper or magazine selected by the Maine Arts Commission. All appointments shall be made no later than 30 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. The chairman of the Legislative Council shall call the first meeting of the commission.

The committee shall select a chairman from among its members.

2. Duties of the commission. The duties of the commission shall be as follows:

- A. Oversee the work of the court planner;
- B. Present to the First Regular Session of the 114th Legislature a report containing a recommendation on a site within the City of Augusta for the proposed court facility and the construction cost estimate of the court planner. The report shall include legislation necessary to fund construction of the court facility through a bond issue approved by voter referendum and to request a General Fund appropriation for a court facility design competition; and
- C. Set up a jury to oversee and evaluate the design competition. This jury may be completely composed of members of the commission and only one member shall not be a member of the commission. The majority of the members of the jury shall be from an architecturally related profession.

3. Report. In addition to other reports required in this section, the commission shall report to the Legislature at the completion of each stage of the design competition and before the initiation of construction.

4. Assistance. Assistance from the legislative staff shall be requested from the Legislative Council.

5. Compensation. The members of the commission shall receive no compensation, but shall be reimbursed for all necessary expenses; and be it further

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

<u>1988-89</u>	
<u>JUDICIAL DEPARTMENT</u>	
Courts — Supreme, Superior, District and Administrative	
All Other	\$130,000
Provides funds to contract with a Court Planner to provide assistance to the Supreme Judicial Court Plan and Design Commission. Specific responsibilities shall include the development of a "program" for the proposed court facility and a final cost estimate. These funds shall not lapse, but shall remain in this account until expended for the purposes described above.	
Total	<u>\$130,000</u>

<u>LEGISLATURE</u>	
Supreme Judicial Court Plan and Design Commission	
All Other	\$ 10,000
Provides funds for the meeting, advertising and report printing costs of the commission. These funds shall not lapse, but remain in this account until expended for the purposes described.	
Total	<u>\$ 10,000</u>
TOTAL APPROPRIATIONS	<u>\$140,000</u>

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

Effective April 28, 1988.

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## CHAPTER 108

S.P. 862 — L.D. 2250

### RESOLVE, to Compensate Kenneth and Janice Demuth.

**Kenneth and Janice Demuth; compensated by the State. Resolved:** That the Governor of the State of Maine is authorized and directed, upon receipt of necessary releases, to pay to Kenneth and Janice Demuth the sum of \$125,000 from funds to be appropriated by the Maine State Legislature as compensation for the injury sustained by Kenneth Demuth on May 13, 1986. Total compensation authorized by this resolve is \$125,000 which is in full satisfaction of any and all claims by Kenneth and Janice Demuth against the State and its employees for the injury which Kenneth Demuth sustained on May 13, 1986; and be it further

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

FINANCE, DEPARTMENT OF

Miscellaneous Acts and Resolves

All Other \$125,000

These funds represent full satisfaction of any and all claims against the State by Kenneth and Janice Demuth.

Effective August 4, 1988.

CHAPTER 109

H.P. 1769 — L.D. 2422

**RESOLVE, Authorizing the Bureau of Health to Conduct a Time-Trend Study of Leukemia Incidence in Maine.**

**Authorization of study. Resolved:** That the Bureau of Health shall conduct a statewide time-trend study of the incidence of leukemia in the State. The bureau shall enlist the aid of health professionals, scientists and other qualified individuals. The bureau shall submit an interim report of its findings to the First Regular Session of the 114th Legislature by March 1, 1989, and a final report to the Second Regular Session of the 114th Legislature by 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 resolve.

1988-89

HUMAN SERVICES, DEPARTMENT OF

Bureau of Health

Positions	(1)
Personal Services	\$23,699
All Other	15,000
Capital Expenditures	2,500
<b>Total</b>	<b>\$41,199</b>

Provides funds for one Planning Research Associate I position, consultant services and a computer work station.

Effective August 4, 1988.

CHAPTER 110

H.P. 1874 — L.D. 2566

**RESOLVE, To Amend the Duties, Title and Reporting Date of the Special Commission to Study School-Entrance Age and Preschool Services.**

**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 Special Commission to Study School-entrance Age and Preschool Services has identified lack of school readiness as a critical problem; and

Whereas, that problem is caused by several related factors and not by the school entrance age alone; and

Whereas, the special commission has recommended that the present school-entrance age not be changed provided other related issues are studied in the coming year; and

Whereas, issues related to developmentally appropriate early childhood curriculum need to be studied and addressed immediately; and

Whereas, failure to do so will result in negative consequences for many school children; 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

**Special commission renamed. Resolved:** That the Special Commission to Study School-entrance Age and Preschool Services, established by Resolve 1987, chapter 64, is renamed the Special Commission on Early Childhood Development and Education; and be it further

**Duties. Resolved:** That the Special Commission on Early Childhood Development and Education shall examine issues related to early childhood development and appropriate educational programming, including the following:

1. Establishment of developmentally appropriate early childhood curricula;
2. Alternative structures for early childhood educational programs;
3. Appropriate class size and student-teacher ratios for early elementary grades;
4. Appropriate preschool services, including the possibility of targeting at-risk children;
5. Appropriate preservice training, certification and staff development requirements for early childhood teachers;
6. The role parents play in the development of their child and how that role may be enhanced;
7. The appropriate role of the private sector in the provision of child care and preschool services and ways to enhance that role;
8. Current state initiatives for early childhood education and child care services and ways those initiatives may be coordinated; and