

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

CHAPTER 13

H.P. 557 - L.D. 755

An Act Relating to Municipal Funding

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

Whereas, the law requiring municipalities to accept funds provided by the Legislature only upon affirmative vote of the municipal legislative body becomes effective on July 1, 1989; and

Whereas, the law has created considerable confusion among municipal legislative bodies; and

Whereas, municipalities will not be prepared to comply with this law by July 1, 1989; 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:

30 MRSA §5058, as enacted by PL 1987, c. 816, Pt. KK, §22, is amended to read:

§5058. Funding

Effective July 1, ~~1989~~ 1990, municipalities shall accept funds provided by the Legislature only upon an affirmative vote of their legislative bodies. Those municipalities holding a town meeting shall include a separate article on the warrant for each category of state funding which shall read as follows: "Shall the town vote to accept (category of funding) as provided by the Maine State Legislature?". The town shall indicate an estimate of the amount to be received for each category of state funding on the warrant, but it does not have to be part of the article. Those funds not accepted by any municipality shall remain with the State. This section applies to any town meeting held after January 1, 1990.

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

Effective March 24, 1989.

CHAPTER 14

S.P. 95 - L.D. 100

An Act to Amend the Law Regarding the Name of the Division of Eye Care

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

Sec. 1. 5 MRSA §1822, as enacted by PL 1973, c. 198, is amended to read:

§1822. Blind-made products

A Blind-made Products Committee, comprising the State Purchasing Agent, the Director of ~~State the~~ Bureau of Rehabilitation and the Director of ~~State the~~ Division of ~~Eye Care for the Blind and Visually Impaired~~, Bureau of Rehabilitation, and hereafter in sections 1822 to 1824 called "the committee," shall determine the price of all products which meet specifications prescribed by the State Purchasing Agent and agreeable to all members of the committee and which are manufactured by ~~the~~ Maine Institution for the Blind and offered for sale to the State or any political subdivision, any governmental agency or public benefit corporation thereof; and shall revise such prices from time to time in accordance with changing cost factors and shall make such rules and regulations regarding selection of products, time of delivery and other relevant matters as shall be necessary to carry out the purpose of sections 1822 to 1824.

Sec. 2. 22 MRSA §3500, as amended by PL 1985, c. 785, Pt. B, §92, is further amended to read:

§3500. Division for the Blind and Visually Impaired

The Division of ~~Eye Care for the Blind and Visually Impaired~~, as heretofore established within the Department of Human Services and hereafter in this chapter called the "division," shall be under the jurisdiction of the Director of the Division of ~~Eye Care for the Blind and Visually Impaired~~, hereafter in this chapter called the "director." The commissioner shall appoint the director, subject to the Civil Service Law.

Sec. 3. 22 MRSA §3500-A, as amended by PL 1981, c. 703, Pt. A, §26, is further amended to read:

§3500-A. Jurisdiction of Director of Division for the Blind and Visually Impaired, defined

Jurisdiction of director means having direct administrative responsibility for all programs and personnel under ~~the Division of Eye Care for the Blind and Visually Impaired~~, sections 3500 to 3512, except section 3501-A.

Sec. 4. 22 MRSA §3502, sub-§1, as repealed and replaced by PL 1983, c. 353, §1, is amended to read:

1. Division for the Blind and Visually Impaired. The Division of ~~Eye Care for the Blind and Visually Impaired~~ shall provide the following services to blind and visually impaired individuals from birth to age 21:

- A. Itinerant teacher services;
- B. Mobility instruction;
- C. Braille instruction;