

# 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

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.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
1989

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**2. Registry of Vietnam and atomic veterans.** Assist the Bureau of Veterans' Services in developing a registry of Vietnam veterans and a registry of atomic veterans;

**3. Outreach; public hearings.** Develop methods for reaching out to Vietnam and atomic veterans who need assistance. The commission may hold public hearings, develop public service announcements and use other means to reach veterans;

**4. Advocacy.** Act as advocates for Vietnam and atomic veterans;

**5. Conduct study.** Conduct a study of medical and other problems faced by Vietnam and atomic veterans and their families; and

**6. Report.** Report each year to the joint standing committee of the Legislature having jurisdiction over aging, retirement and veterans' matters by January 15th.

#### **§528. Staff**

The Bureau of Veterans' Services shall provide clerical and professional staff to assist the commission.

**Sec. 4. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF		
Commission on Vietnam and Atomic Veterans		
Positions	(2)	(2)
Personal Services	\$47,745	\$51,825
All Other	22,000	22,250
Capital Expenditures	1,677	
Provides funds for the per diem of legislative members and the expenses of the Commission on Vietnam and Atomic Veterans. Also provides funds to improve services delivered by the Bureau of Veterans' Services to staff the commission with one profes- sional and one clerical position and to develop a registry and conduct a study either through contract or by the bureau's staff.		
DEPARTMENT OF DEFENSE AND VETERANS' SERVICES		
TOTAL	\$71,422	\$74,075
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Health		
All Other	\$2,000	\$2,000
Provides funds for the State Toxicologist to attend the annual Conference on Dioxin.		

DEPARTMENT OF HUMAN SERVICES		
TOTAL	\$2,000	\$2,000
TOTAL APPROPRIATIONS	\$73,422	\$76,075

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1989.

Effective July 1, 1989, signed by the Governor July 10, 1989.

## CHAPTER 548

### S.P. 63 - L.D. 46

#### An Act to Improve the Early Childhood Educational Plans Grants Program

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

**Sec. 1. 20-A MRSA c. 203, sub-c. II, 3rd line,** as amended is repealed and the following enacted in its place:

#### CHILDREN AGES 4 to 9

**Sec. 2. 20-A MRSA §4251,** as enacted by PL 1983, c. 576, §1, is amended to read:

#### **§4251. Intent**

The intent of this subchapter is to encourage school administrative units to place an increased emphasis on instruction and curriculum for all children ~~in kindergarten through grade 3~~ ages 4 to 9. This subchapter is not intended as a method of financing existing efforts but as a way of encouraging the development of new or expanded programs.

**Sec. 3. 20-A MRSA §4252, sub-§4,** as enacted by PL 1983, c. 576, §1, is amended to read:

**4. Programs for 4-year-old children.** Encourage the development of 2-year kindergartens in conformity with section 5201, subsection 2, paragraph C and other appropriate programs to address the needs of 4-year-old children;

**Sec. 4. 20-A MRSA §4252, sub-§§5 and 6,** as enacted by PL 1983, c. 576, §1, are amended to read:

**5. Multigrade classrooms.** Establish classroom units of more than one grade level; ~~and~~

**6. Learning environment.** Develop a learning environment which would encourage each student to learn and progress at ~~their~~ that student's own functional level;

**Sec. 5. 20-A MRSA §4252, sub-§§7 and 8** are enacted to read:

**7. Transition.** Facilitate the transition of children from preschool programs to public school programs; and

**8. Family outreach.** Provide family outreach and support programs designed to improve parent-school relations and parenting skills.

**Sec. 6. 20-A MRSA §4253**, as enacted by PL 1983, c. 576, §1, is amended to read:

**§4253. Grants for local early childhood programs**

School administrative units wishing to develop early childhood programs shall submit plan proposals for approval to the department. The department shall encourage broad participation in the grant program under section 4253-A and shall provide technical assistance to local school administrative units in submitting proposals. The department shall monitor the implementation of the plans and evaluate their effectiveness before the excess costs may be included as allowable costs under section 4254, subsection 3. There shall be a grant maximum of \$50,000 under this section.

**Sec. 7. 20-A MRSA §4253-A** is enacted to read:

**§4253-A. Model program grants**

**1. Establishment of program.** The department shall establish and monitor a competitive grant program for model early childhood programs designed to serve as demonstration and training sites. In awarding grants for model programs, the commissioner shall ensure geographic distribution of program sites. The department shall develop models to be tested based on an assessment of regional early childhood program needs. School administrative units or those units in association with other service providers may apply for grants. The grant maximum under this section is \$50,000.

**2. Application; coordination.** School administrative units which apply for these grants must, at a minimum, coordinate the application with the local Head Start program. The application must:

A. Identify how resources will be shared and activities coordinated between the Head Start program and the public school;

B. Identify the process for coordination with other service providers, both public and private; and

C. Provide for the establishment of an advisory committee for the project.

**3. Training.** Training provided at the model program site shall be made available to public school staff and Head Start program staff. Provision may be made for other service providers to participate in the training.

**4. Rulemaking.** The department shall adopt rules establishing the criteria upon which grants are awarded under this section.

**Sec. 8. 20-A MRSA §4254, sub-§§2 and 3**, as enacted by PL 1983, c. 576, §1, are amended to read:

**2. First and 2nd years.** Allowable costs in the first and 2nd years shall be funded through a grant made ~~on the same matching basis as the division of state and local shares in the unit's state and local allocation in the year prior to the year of allocation~~ from funds appropriated for that purpose.

**3. Third and subsequent years.** For plans which have been evaluated as effective by the department, allowable costs may be added to the school units subsidized cost under chapter ~~605~~ 606.

**Sec. 9. 20-A MRSA §17103, sub-§1**, as enacted by PL 1983, c. 859, Pt. E, §§1 and 2, is amended to read:

**1. Objectives.** Innovative project matching grants may be awarded to a single school, group of schools or groups of school administrative units for projects which promote improvement on a school-wide basis. ~~These grants will be on the same matching basis as set forth in section 4254.~~ Allowable costs for school-based innovative grants projects shall be the excess cost of implementing approved projects. Allowable costs in the first and 2nd years shall be funded through a grant made on the same matching basis as the division of state and local shares in the unit's state and local allocation in the year prior to the year of allocation. These projects may include, but are not limited to, one or more of the following objectives:

A. To develop programs to reduce the number of student dropouts;

B. To initiate creative approaches to improve average daily attendance in the schools;

C. To prepare curriculum guidelines and strategies to improve teaching, raise student expectations and increase the commitment to academic excellence;

D. To develop strategies for the effective use of school volunteers;

E. To promote improved guidance and counseling services, particularly within elementary schools;

F. To implement methods to increase the amount of time students devote to their academic subjects;

G. To develop programs to raise academic standards and to provide services for students with special learning needs;

H. To develop new and improved programs in the basic academic areas;

I. To identify and provide in-service educational programs to improve the basic course of study in the school or schools;

J. To provide management and leadership programs for principals, superintendents and other supervisory personnel;

K. To develop a teachers' academy; and

L. To develop foreign language programs in elementary schools.

See title page for effective date.

## CHAPTER 549

### H.P. 106 - L.D. 143

#### An Act Concerning Pilferage of Shopping Carts and Bakery and Dairy Product Containers

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

Sec. 1. 32 MRSA c. 119 is enacted to read:

#### CHAPTER 119

#### REGISTRATION FOR SHOPPING CARTS AND CONTAINERS FOR BAKERY, DAIRY AND OTHER PRODUCTS

##### §13851. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Bakery basket. "Bakery basket" means a wire or plastic container which holds bread or other baked goods and is used by a distributor or retailer as a means to transport, store or carry bakery products.

2. Container. "Container" means a bakery basket, dairy case, egg basket or shopping cart.

3. Dairy case. "Dairy case" means a wire or plastic container which holds 16 quarts or more of beverage and is used by distributors or retailers as a means to transport, store or carry dairy products.

4. Egg basket. "Egg basket" means any permanent type of container which contains 4 dozen or more shell eggs and is used by distributors or retailers as a means to transport, store or carry eggs.

5. Name or mark. "Name or mark" means any permanently affixed or permanently stamped name or mark which has been registered with the Secretary of State and is used for the purpose of identifying the owner of shopping carts, laundry carts, dairy cases, egg baskets, poultry boxes, baking trays or bakery baskets.

6. Parking area. "Parking area" means a lot or other property provided by a retail establishment for the use of

customers to park vehicles while doing business in that establishment.

7. Shopping cart. "Shopping cart" means a basket which is mounted on wheels, or a similar device generally used in a retail establishment by a customer for the purpose of transporting goods of any kind.

##### §13852. Name or mark; registration

An owner of containers may adopt a name or mark to be permanently affixed to those containers. The Secretary of State shall, pursuant to Title 5, chapter 375, adopt rules regulating the adoption, use and registration of a name or mark on containers and may charge registration fees to cover the cost of this program.

##### §13853. Prohibitions

1. Removal, use or possession. No person, organization or association may, without consent of the owner and with the intent to deprive the owner of possession of a container, remove a container from the premises or parking lot of the owner or a customer of the owner for any commercial use not approved by the owner or possess or use a container that has been so removed, if:

A. The container has the name or mark of the owner prominently displayed and permanently affixed to it that identifies the owner of the container;

B. The name or mark contains a notification that unauthorized removal or possession of the container is a violation of law; and

C. The name or mark lists a telephone number or address for returning the container to the owner.

2. Defacement. No person, organization or association may alter, deface, cover or remove a name or mark on a container or possess such a container without the consent of the owner.

3. Penalty. Any person who violates this section commits a civil violation for which a forfeiture not to exceed \$100 for each violation and \$10 for each container may be adjudged.

**Sec. 2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1989-90

#### SECRETARY OF STATE, DEPARTMENT OF THE

All Other	\$1,500
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Provides funds for costs incurred to meet the advertising requirements of the Maine Administrative Procedure Act, Maine Revised Statutes, Title 5, chapter