

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.

J.S. McCarthy Company
Augusta, Maine
1989

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

P&SL 1907, c. 84, §6-F is enacted to read:

6-F. Programs for disadvantaged individuals. The corporation is authorized to establish and maintain programs for disadvantaged individuals.

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

Effective May 11, 1989.

CHAPTER 23

S.P. 529 - L.D. 1463

An Act to Fund 2 Legislative Studies and to Extend the State Compensation Commission's Interim Reporting Date

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses will become due and payable prior to 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:

Sec. 1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

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All Other	\$126,680
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Provides funds for consulting assistance to the Medical Malpractice Liability Study Oversight Committee and the Oversight Committee for the Tax Revenue Study. Any unexpended balances available on June 30, 1989 shall carry forward to June 30, 1990.

Sec. 2. Extension. Notwithstanding the Maine Revised Statutes, Title 3, section 2-A, subsection 2, the State Compensation Commission shall submit its first interim report to the Legislature no later than May 15, 1989.

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

Effective May 17, 1989.

CHAPTER 24

H.P. 640 - L.D. 874

An Act to Authorize the Public Utilities Commission to Study the Implementation of Continuous Relay Services for Deaf, Hearing Impaired or Speech Impaired Persons

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

Whereas, it is the belief of the Joint Standing Committee on Utilities that the Public Utilities Commission should make provisions for the establishment of a system to provide continuous telephone relay services for deaf, hearing impaired or speech impaired persons who must rely on teletypewriter equipment for telephone communications; and

Whereas, for the Public Utilities Commission to complete the study outlined in this Act, the commission should start as soon as possible; 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:

Sec. 1. Public Utilities Commission Study. The Public Utilities Commission shall undertake a study of the implementation of a system to provide continuous telephone relay services to deaf, hearing impaired or speech impaired persons who must rely on teletypewriter equipment for telephone communications.

The study shall include a review of the following topics regarding continuous telephone relay services:

1. Alternative system designs and implementation plans for a statewide system;

2. The potential benefits and practicality of developing a regional, multi-state system;
 3. Cost estimates for alternative system designs;
 4. Alternative mechanisms for funding the system;
- and
5. A recommendation for a system to serve the State and a recommended method of funding the system.

Sec. 2. Consultation with and cooperation of other agencies. The Public Utilities Commission shall consult with appropriate agencies and organizations serving the deaf community, with representatives of the deaf community and with relevant state agencies. The other state agencies shall cooperate with the Public Utilities Committee in conducting the study.

Sec. 3. Report. The Public Utilities Commission shall report their findings to the joint standing committee having jurisdiction over utility matters by January 5, 1990. The report shall include draft legislation for the implementation of a plan to provide a continuous telephone relay service.

Sec. 4. Staff. The Public Utilities Commission may contract for services to complete this study.

Sec. 5. Special Assessment. Every telephone utility subject to an assessment pursuant to the Maine Revised Statutes, Title 35-A, section 116 shall be subject to an additional assessment on its intrastate gross operating revenues to produce no more than \$45,000 in revenues in fiscal year 1989-90. This assessment may be billed on the effective date of this Act and shall be due July 1, 1989. The revenues produced from this assessment shall be used to conduct the study. These funds shall be raised and accounted for in accordance with the provisions of Title 35-A, section 116 and shall be paid to the Treasurer of State and deposited in a separate account in the Public Utilities Commission Regulatory Fund. The assessment charged to utilities under this section is a just and reasonable operation cost for rate-making purposes. Any funds remaining in the fund after the study has been completed will be returned proportionately to the utilities assessed.

Sec. 6. Allocation of the Public Utilities Commission Regulatory Fund. Income not otherwise allocated from the Public Utilities Commission Regulatory Fund is allocated for the fiscal year ending June 30, 1990 and shall be segregated, apportioned and disbursed as designated in the following schedule.

	1989-90
PUBLIC UTILITIES COMMISSION	
Public Utilities - Administrative Division	
All Other	\$45,000

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

Effective May 19, 1989.

CHAPTER 25

H.P. 1193 - L.D. 1660

An Act to Provide for an Interim Superintendent for the Augusta Mental Health Institute

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

Whereas, a management crisis currently exists at the Augusta Mental Health Institute; and

Whereas, the State of Maine is unable at present to find a suitable person to be appointed as superintendent of the Augusta Mental Health Institute; and

Whereas, the crisis at the Augusta Mental Health Institute requires that a suitably qualified person be appointed superintendent as expeditiously as possible; and

Whereas, the laws of Maine currently prohibit the appointment either of a corporation or a person who is not a state employee to the position of superintendent of the Augusta Mental Health Institute; and

Whereas, a suitable person may be available for appointment to the position of superintendent of the Augusta Mental Health Institute on a temporary basis provided that such person is not required to be a state employee; and

Whereas, the superintendent appointed pursuant to this law will find it necessary to enter into various contracts for consultant services and other services related to the care and treatment of patients at the Augusta Mental Health Institute; 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:

Sec. 1. Appointment of temporary superintendent. The Commissioner of Mental Health and Mental Retardation may make an interim appointment of an individual who meets the requirements of the Maine Revised Statutes, Title 34-B, section 3202, subsection 2, to be superintendent of the Augusta Mental Health Institute. The individual appointed shall not be a state employee.