

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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  
1991

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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

Effective January 4, 1991.

## CHAPTER 6

S.P. 70 - L.D. 126

### An Act to Allow the Systems Assessment Commission to Extend Reporting Deadlines

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

**Whereas,** the Systems Assessment Commission was established by Public Law 1989, chapter 501, Part BB, section 8; and

**Whereas,** the commission was to submit a report to the 115th Legislature by December 15, 1990; and

**Whereas,** the commission needs additional time to prepare its final report; 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. PL 1989, c. 501, Pt. BB, §8, ¶G,** as amended by PL 1989, c. 894, §1, is further amended to read:

G. The commission has the following duties.

(1) The commission, with the assistance of the Department of Mental Health and Mental Retardation, the Superintendent of the Augusta Mental Health Institute, the Superintendent of the Bangor Mental Health Institute and any other agency or department of State Government, shall develop a long-range plan for the Augusta Mental Health Institute and the Bangor Mental Health Institute. The plan shall include consideration of the creation of a smaller acute care facility or facilities to take the place of the current facilities and any other option for humane, safe and cost-effective delivery of services to Maine's mentally ill citizens. Following the development of a long-range plan for the Augusta Mental Health Institute, the commission shall develop a plan for the Bangor Mental Health Institute. Any plans developed shall also include an assessment of the need for and delivery of community services, including consider-

ation of the drafting of model legislation governing the delivery of mental health services statewide. The commission shall coordinate with the Bureau of Public Improvements, the State House and Capitol Park Commission and the Supreme Judicial Court Plan and Design Commission in the development of its plans for the Augusta Mental Health Institute and the Bangor Mental Health Institute.

(2) The commission shall issue a preliminary report to the Joint Standing Committee on Human Resources no later than January 15, 1990. Copies of this report shall be sent to the Maine Commission on Mental Health, legislative leadership, the Joint Standing Committee on Appropriations and Financial Affairs and to the Governor. The plan shall include a preliminary assessment of the issue. The commission shall include any necessary adjustments to its budget which reflect anticipated costs for contracts and other services necessary for the development of the long-range plan. A final report shall be issued to the 115th Legislature no later than ~~December 15, 1990~~ February 28, 1991. This report shall include a complete plan for the Augusta Mental Health Institute and the Bangor Mental Health Institute, including a full assessment of an alternative facility or facilities, community resources which are needed, costs, time frames and necessary implementing legislation.

**Sec. 2. Retroactivity.** This Act applies retroactively to December 15, 1990.

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

Effective January 29, 1991.

## CHAPTER 7

S.P. 93 - L.D. 178

### An Act to Authorize Flag Plates on Motor Vehicles

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

**Whereas,** there is an ongoing conflict in the Middle East; and

**Whereas,** the citizens of Maine are seeking ways to show support for the men and women of the armed services in the Persian Gulf region; and

**Whereas**, displaying a United States flag is a means of showing support for armed services personnel and their families; 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. 29 MRSA §252-H** is enacted to read:

**§252-H. United States flag plates**

The Secretary of State is authorized to design and issue a special plate depicting the United States flag. A person may display the United States flag plate on a vehicle registered up to 9,000 pounds or on a motor home by covering, but not removing, the normal front registration plate. The Secretary of State shall charge a fee of \$5 for each United States flag plate issued. Municipal agents appointed pursuant to section 52-A may charge \$1 in addition to the fee required by this section for each United States flag plate issued, the service charge to be retained by the municipality. The authorization to display the United States flag plate on a registered vehicle expires March 30, 1992.

A person who displays the United States flag plate in place of the normal registration plate after March 30, 1992 violates section 2183.

**Sec. 2. Allocation.** The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1990-91

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles**

All Other \$67,717

Provides funds for postage, scotchlite, aluminum and other general operating expenses required to manufacture and distribute 25,000 flag plates.

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

Effective March 7, 1991.

## CHAPTER 8

H.P. 553 - L.D. 790

### An Act to Make a Technical Correction in the Enabling Legislation of the St. Croix International Waterway Commission

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

**Whereas**, the St. Croix International Waterway Commission, composed of members representing Maine and New Brunswick, has been established to coordinate planning, development and management of the St. Croix waterway; and

**Whereas**, the St. Croix International Waterway Commission has been granted nonprofit corporation status for tax purposes under the laws of New Brunswick and Canada; and

**Whereas**, the Internal Revenue Service of the United States Department of Commerce refuses to grant nonprofit corporation status to the St. Croix International Waterway Commission unless a technical change is made in the enabling legislation; and

**Whereas**, nonprofit corporation status under the United States law is essential to the operation and funding of the St. Croix International Waterway Commission; 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:**

**38 MRSA §998, sub-§8** is enacted to read:

**8. Dissolution.** Upon dissolution of the commission, any net assets must be distributed for charitable purposes within the meaning of the Internal Revenue Code, Section 501 (c)(3).

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

Effective March 7, 1991.

## CHAPTER 9

H.P. 192 - L.D. 274

### An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Laws