

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

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
1993

and must be allotted based on a competitive request-for-proposal process that addresses program enhancements or research and development.

The \$1,500,000 will be available to be matched on a one-to-one basis by private or in-kind donations and will be allotted as such donations become available.

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State have ratified the issuance of bonds as set forth in this Act.

Sec. 8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. 9. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Act, are deauthorized and may not be issued; except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. 10. Referendum for ratification; submission at general election; form of question; effective date. This Act must be submitted to the legal voters of the State of Maine at the next general election in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a general election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$5,000,000 bond issue to purchase up-to-date training equipment at Maine's technical colleges of which \$1,500,000 must be matched by private or in-kind donations?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same

manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of the Act, the Governor shall proclaim the result without delay, and the Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Effective pending referendum.

CHAPTER 97

H.P. 1296 - L.D. 1751

An Act to Maintain State-staffed Crisis Programs

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 payroll obligations for fiscal year 1994-95 will begin to accrue prior to July 1, 1994; 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. Mental health crisis programs; service delivery report. The Department of Mental Health and Mental Retardation, community service agencies providing mental health crisis programs and representatives of the Maine State Employees Association shall study the service delivery system for mental health crisis programs throughout the State existing after the effective date of this Act. This group shall report their findings and recommendations on how to best provide these services statewide to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over human resource matters no later than January 6, 1995. The department shall provide any necessary staff support to the group.

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

1994-95

**MENTAL HEALTH AND
MENTAL RETARDATION,
DEPARTMENT OF**

**Mental Health Services -
Community**

Positions - Legislative Count	(18.0)
Personal Services	\$817,573
All Other	(817,573)

Provides for a line category transfer including funds for 3 Mental Health and Mental Retardation Casework Supervisor positions and 15 Psychiatric Social Worker II positions to maintain state-staffed crisis programs.

**DEPARTMENT OF MENTAL
HEALTH AND MENTAL
RETARDATION**
TOTAL

_____ \$-0-

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

Effective April 15, 1994.

CHAPTER 98

H.P. 1309 - L.D. 1764

**An Act to Preserve
Productive Forests**

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

Whereas, healthy forest ecosystems are vital to the people of the State in order to provide for ecologically and economically sustainable yields of wood fiber, clean water and air, productive soils, flood control, recreational opportunities, wildlife habitat and biological diversity of native species; and

Whereas, current forest management practices within state wildlands are destructive to healthy forest ecosystems and are not economically sustainable; and

Whereas, tens of thousands of acres of forest in state wildlands are clear-cut every year; and

Whereas, inventories of forest resources in the State show that important tree species are in decline, jeopardizing forest productivity; and

Whereas, clear-cutting and other even-aged forest management practices are destructive to healthy forest ecosystems because these practices result in large, unnatural disturbances, impair ecological habitat and diversity, lower forest resistance to fire, wind, insect and disease infestations, and promote even-aged forest stands with a predominance of short-lived tree species; and

Whereas, the establishment of minimum forest management standards is necessary to restore, protect and promote healthy forest ecosystems in state wildlands; 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. Evaluation of forest practices. The Department of Conservation shall evaluate the implementation of the Maine Revised Statutes, Title 12, chapter 805, subchapter III-A and the forest harvest regulations adopted pursuant to Title 12, section 8869 and conduct an assessment of pressures on the State's forest resources. That evaluation and assessment must include:

1. Evaluation. Research necessary to determine:

- A. The extent to which forest landowners are harvesting to the minimum standards adopted in the forest harvest regulations;
- B. How the separation zones around clear-cuts are being managed;
- C. The total acreage, the average acreage, the range of acreage and the geographic distribution of clear-cuts in the State; and
- D. Research into any other question the department considers essential to obtain an understanding of how the Maine Revised Statutes,