

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

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

RESOLVES
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE
1993

CHAPTER 1**S.P. 101 - L.D. 279****Resolve, Creating a Special Commission to Erect a Plaque in the Hall of Flags Honoring Medal of Honor Recipients from Maine****Sec. 1. Commission established. Resolved:**

That a commission is established to arrange for a plaque, displayed in the Hall of Flags in the State House, to honor Medal of Honor recipients from Maine; and be it further

Sec. 2. Commission membership. Resolved:

That the commission consists of 5 members: three members appointed by the Governor, one member appointed by the President of the Senate and one member appointed by the Speaker of the House of Representatives. The members of the commission serve without pay or expenses; and be it further

Sec. 3. Duties. Resolved: That the commission shall develop a design, choose a site, accept donations and make arrangements for the plaque to be displayed in the Hall of Flags; and be it further

Sec. 4. Funding. Resolved: That the commission may seek outside sources of funding. Expenditures may not be incurred that have an impact on the General Fund.

See title page for effective date.

CHAPTER 2**S.P. 40 - L.D. 52****Resolve, to Require the Department of Education to Develop Education Guidelines for Public Schools**

Preamble. Whereas, it is the primary responsibility of the schools to educate our children; and

Whereas, computers have become a necessary tool in our everyday lives; and

Whereas, our children will be required to work with and use computers on almost a daily basis; now, therefore, be it

Sec. 1. Review of guidelines. Resolved: That the Department of Education research and review computer education guidelines for public schools. The review must include instruction in operation and must address health and safety issues inherent in computer use; and be it further

Sec. 2. Report to Joint Standing Committee on Education. Resolved: That the Department of Education submit its findings for review to the Joint Standing Committee on Education by December 1, 1993.

See title page for effective date.

CHAPTER 3**H.P. 368 - L.D. 471****Resolve, Renaming Ames Cove of Friendship as Flood's Cove**

Sec. 1. Flood's Cove. Resolved: That the cove located on the western side of Martin's Point in Friendship, Maine and legally identified as Ames Cove is renamed Flood's Cove.

See title page for effective date.

CHAPTER 4**H.P. 308 - L.D. 396****Resolve, To Authorize the Director of the Bureau of General Services to Transfer in the Name of the State a Certain State Built Water Pipeline in the Town of Boothbay Harbor**

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

Sec. 1. Documents authorized. Resolved: That the State, through the Director of the Bureau of General Services, is authorized to draft and execute any documents necessary and is authorized to transfer an underground water pipeline built by the State between Station 10+00 and Station 30+90 under McKown Point Road in the Town of Boothbay Harbor as shown on record drawings prepared by Wright-Pierce Engineers to the Boothbay Harbor Water System. This authorization expires one year after the effective date of this resolve.

See title page for effective date.

CHAPTER 5**H.P. 418 - L.D. 537****Resolve, Requiring All State Departments and Agencies to Analyze Unfunded Mandates**

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

Whereas, quantitative data is needed to assess the impact of unfunded federal mandates on the budget of State Government; and

Whereas, this data must be presented to the United States Congress at the earliest opportunity in an effort to gain fiscal relief as the State struggles with its budget problems; 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

Sec. 1. Data on unfunded federal mandates.

Resolved: That all departments and agencies of State Government, including independent agencies and the institutions of higher education that receive an appropriation from the General Fund, shall collect data on the federal mandates that have been imposed on those agencies for which no or partial funding has been provided. Data must be organized in such a way as to identify individual mandated activities, the federal statutes or rules that created each mandate and the estimated cost to fulfill each mandate for state fiscal years 1993-94 and 1994-95.

For the purposes of this resolve, "federal mandate" means any federal legislation or administrative rule adopted by a federal agency that has necessitated a state department or agency to make additional expenditures; and be it further

Sec. 2. Report to the Joint Standing Committee on Appropriations and Financial Affairs.

Resolved: That each department or agency subject to the provisions of section 1 of this resolve shall report its findings to the Joint Standing Committee on Appropriations and Financial Affairs no later than April 1, 1993.

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

Effective April 8, 1993.

CHAPTER 6

H.P. 726 - L.D. 985

Resolve, Approving the 1993 Draft and Arrangement of the Constitution of Maine Made by the Chief Justice of the Supreme Judicial Court and Providing for its Publication and Distribution

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

Whereas, the 1993 recodification of the Constitution of Maine has been completed by the Chief Justice of the Supreme Judicial Court and submitted to the Legislature; and

Whereas, the recodification must be made available to the public as soon as possible and before the expiration of the 90-day period; 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

Sec. 1. Constitution; approval of 1993 draft and arrangement, enrollment, publication, distribution.

Resolved: That the draft and arrangement of the Constitution of Maine, as amended, made by the Chief Justice of the Supreme Judicial Court, pursuant to the Constitution of Maine, Article X, Section 6, is approved and that the same be enrolled on parchment or other suitable material and deposited in the office of the Secretary of State; and be it further

Sec. 2. Enrollment on durable material.

Resolved: That the Secretary of State is authorized and directed to cause the Constitution of Maine, as amended and arranged, to be enrolled on parchment or other suitable material and upon final approval of the Chief Justice of the Supreme Judicial Court attest to the correctness of that enrollment under the seal of the State; and be it further

Sec. 3. Publication.

Resolved: That the Secretary of State is authorized and directed to cause to be published in pamphlet form, subject to the approval of the Chief Justice of the Supreme Judicial Court, copies of the Constitution of Maine in such numbers as the Secretary of State determines necessary and that one copy of the pamphlet be forwarded to the municipal officers of each city and town and to the assessors of each plantation within the State.

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

Effective May 12, 1993.

CHAPTER 7

H.P. 661 - L.D. 899

Resolve, to Direct Elected and Appointed Officials of the State to Work to Maintain Canadian Atlantic Railway Service through the State