

# 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 electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 7, 1998 to March 31, 1998**

**SECOND SPECIAL SESSION**  
**April 1, 1998 to April 9, 1998**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 30, 1998**

**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 9, 1998**

**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**  
**1997**

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

Effective April 15, 1998.

---



---

**CHAPTER 90**

**H.P. 1555 - L.D. 2184**

**An Act to Appropriate Funds to the Battleship USS Maine Centennial Committee to Restore and Maintain the Monument to the USS Maine in Davenport Park**

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

**Whereas,** the funding provided by this legislation is needed as soon as possible to ensure the restoration and maintenance of the monument to the USS Maine in Davenport Park in time for the ceremonies marking the centennial of the sinking of the USS Maine in Havana Harbor, which precipitated the Spanish-American War; 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.

**1997-98**

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Miscellaneous Acts and Resolves**

All Other	\$20,000
Provides funds to the Battleship USS Maine Centennial Committee to restore and maintain the USS Maine monument at Davenport Park in Bangor.	

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

Effective April 15, 1998.

---



---

**CHAPTER 91**

**H.P. 1487 - L.D. 2086**

**An Act to Continue the Membership of the Maine Legislature in the Council of State Governments**

**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.

**1998-99**

**LEGISLATURE**

**Commission on Interstate Cooperation**

All Other	\$61,615
Restores funding for the Legislature's dues payment to the Council on State Governments in fiscal year 1998-99.	

See title page for effective date.

---



---

**CHAPTER 92**

**S.P. 826 - L.D. 2224**

**An Act to Authorize a General Fund Bond Issue in the Amount of \$7,000,000 to Construct Water Pollution Control Facilities; to Clean Up Tire Stockpiles; to Investigate, Abate, Clean Up and Mitigate Hazardous Substance Discharges; and to Make Drinking Water System Improvements**

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds to construct water pollution control facilities; to clean up tire stockpiles; to

investigate, abate, clean up and mitigate hazardous substance discharges; and to make drinking water system improvements.

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

**Sec. 1. Authorization of bonds to provide funds to construct water pollution control facilities; to clean up tire stockpiles; to investigate, abate, clean up and mitigate hazardous substance discharges; and to make drinking water system improvements.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$7,000,000 to raise funds to construct water pollution control facilities; to clean up tire stockpiles; to investigate, abate, clean up and mitigate hazardous substance discharges; and to make drinking water system improvements as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 5 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**Sec. 2. Records of bonds issued to be kept by the Treasurer of State.** The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

**Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

**Sec. 5. Disbursement of bond proceeds.** The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Department of Environmental Protection and the Department of Human Services.

**Sec. 6. Allocations from General Fund bond issue: to construct water pollution**

**control facilities; to clean up tire stockpiles; to investigate, abate, clean up and mitigate hazardous substance discharges; and to make drinking water system improvements.** The proceeds of the sale of bonds must be expended as designated in the following schedule.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

Construction of water pollution control facilities providing the state match for \$10,000,000 in federal funds	\$3,350,000
Cleanup of tire stockpiles to protect the public health and safety and the environment	\$1,000,000
Investigation, abatement, cleanup and mitigation of threats to the public health and the environment from hazardous substance discharges	\$1,150,000

**HUMAN SERVICES, DEPARTMENT OF**

Construction of drinking water system improvements for public water supplies providing the state match for \$7,100,000 in federal funds	\$1,500,000
---	-------------

<b>TOTAL ALLOCATIONS</b>	<b>\$7,000,000</b>
--------------------------	--------------------

**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 \$7,000,000 bond issue for the following purposes:

1. \$3,350,000 to construct water pollution control facilities, providing the state match for \$10,000,000 in federal funds;
2. \$1,000,000 to protect the public health and safety and the environment by providing funds for the cleanup of tire stockpiles;
3. \$1,150,000 to investigate, abate, clean up and mitigate threats to the public health and the environment from hazardous substance discharges; and
4. \$1,500,000 to construct drinking water system improvements that address public health threats, providing the state match for \$7,100,000 in federal funds?"

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 93**

**H.P. 1634 - L.D. 2264**

**An Act to Promote and Encourage  
the Cultivation of Cranberries in the  
State**

**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.

**1998-99**

**University of Maine System,  
Board of Trustees**

All Other \$50,000

Notwithstanding the Maine Revised Statutes, Title 7, section 2402 and any other provision of law, provides funds for a University of Maine Cooperative Extension Service integrated pest management program for cranberries including a position devoted primarily to cranberries.

See title page for effective date.

---

**CHAPTER 94**

**S.P. 860 - L.D. 2276**

**An Act to Provide Funding for Law  
Enforcement and Emergency  
Medical Services Personnel**

**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.

**1998-99**

**PUBLIC SAFETY,  
DEPARTMENT OF**

**Emergency Medical Services**

All Other \$25,000

Provides a one-time appropriation to develop a training program for law enforcement and emergency medical services personnel. The program must cover sudden infant death syndrome, critical incident stress management and interpersonal