

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
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8. Exceptions. The following are exempt from the requirements of subsection 4:

A. An administrative unit which has been authorized by the commissioner under subsection 9 to postpone the establishment of a National School Lunch Program; and

B. All high schools limited to students in grades 9, 10, 11 and 12.

9. Application for postponement. An administrative unit, which had been authorized by the commissioner as of September 1, 1976, to postpone the establishment of a National School Lunch Program, may apply to the commissioner to postpone the establishment of the program for an additional 3 years. The commissioner, with the authorization of the board, may grant the requested postponement provided:

A. The school committee or board of directors of the administrative unit has held a public hearing on its proposed application; and

B. Any one of the following conditions are met:

(1) It has been documented to the commissioner's satisfaction that the administrative unit lacks space for the program and there is no appropriate alternative source of meals for the students; or

(2) It is impossible for the administrative unit to contract for or to otherwise procure Type A meals for its students; or

(3) The lack of need for the program, as determined by the school committee or board of directors, is documented to the commissioner's satisfaction and was evident at the public hearing.

10. Annual review. The commissioner shall annually review the conditions in each of the administrative units which has been granted a postponement under subsection 9. If he finds that the conditions in an administrative unit have changed so that a postponement is no longer warranted, he may require that the administrative unit establish a National School Lunch Program at the start of the next school year. Whenever 1% of the residents living within the boundaries of the administrative unit petition the commissioner, he shall cause to be called a public hearing on the postponement granted under subsection 9 prior to his next annual review.

Effective October 24, 1977

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## CHAPTER 63

AN ACT to Clarify Authorization for Payment of Witness Fees for State Witnesses in Criminal Prosecutions.

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

15 MRSA § 1320, sub-§ 1, as enacted by PL 1975, c. 775, § 1, is amended to read:

1. **Payments.** Payments made hereunder shall be made from the county treasury upon authorization of the prosecuting attorney, unless otherwise expressly directed by law and the payments shall be made from the sums set aside in the county budget for the payments on account of Superior Court criminal proceedings.

Effective October 24, 1977

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## CHAPTER 64

### AN ACT Extending the Time for Apportionment of County Taxes from April to May in the Year 1977.

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

Whereas, under the present law the county tax must be apportioned upon the towns in the month of April; and

Whereas, the debate on the legislation setting county officers' salaries has continued so long that it will be impossible to assess the county tax for 1977 within the time allowed; and

Whereas, the following extension of time will prevent undue hardship in resolving such; and

Whereas, the following legislation to temporarily change the apportionment to the month of May is vitally necessary to prevent undue hardship and confusion on the several counties and municipalities of the State; 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:*

30 MRSA § 254-B is enacted to read:

#### § 254-B. Temporary extension

Notwithstanding the provisions of section 254, when a county tax is authorized, for the year 1977, the county commissioners shall, in April or May apportion it upon the towns and other places according to the last state valuation and fix the time for the payment of the same, which shall not be earlier than the first day of the following September.