

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
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PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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. Land purchase and construction expenditures by county commissioners validated. Notwithstanding any other provision of law, the purchase by the county commissioners of the County of York of the land in Alfred conveyed to the County of York by Genest Concrete Works, Inc. by deed dated April 8, 1974 for purpose of constructing thereon a new county jail, and the expenditure of funds for the design and construction thereon of said new county jail, are hereby declared legal and valid and are hereby ratified, confirmed, validated and made effective and the construction thereon, or on any other county-owned land in the Town of Alfred, of a new county jail is hereby authorized.

Sec. 2. Referendum elections validated. All proceedings in connection with referendum elections held in the County of York on November 6, 1973 and November 2, 1976, in relation to the acceptance by the legal voters of the County of York of chapter 79 of the private and special laws of 1973 and chapter 144 of the private and special laws of 1975, respectively, are hereby declared legal and valid, and are hereby ratified, confirmed and made effective, and chapter 79 of the private and special laws of 1973, as amended by chapter 144 of the private and special laws of 1975, is hereby declared to be fully effective.

Sec. 3. Acceptance of gifts or grants authorized. Notwithstanding any other provisions of law, the county commissioners of the County of York are hereby authorized to accept funds from the Federal and State Governments and any department, agency or instrumentality of either of said governments and from charitable institutions, foundations or other donors for the purpose of designing and constructing a new county jail in the County of York, and said county commissioners are authorized to expend for the purpose of constructing such new county jail all such funds, in addition to the \$1,200,000 authorized to be expended for that purpose from the proceeds of the bonds authorized to be issued pursuant to the provisions of chapter 79 of the private and special laws of 1973, as amended by chapter 144 of the private and special laws of 1975.

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

Effective June 15, 1977

CHAPTER 57

AN ACT to Create a Commission on Energy Efficiency Building Performance Standards.

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

Sec. 1. Commission; duties. A special commission shall be constituted and appointed to prepare proposed energy efficiency building performance standards for the State of Maine, which shall be presented to the Legislative Council prior to the convening of the first regular session of the 109th Legislature, together with final draft copies of any proposed legislation. These standards shall contain minimum energy efficiency performance standards for residential, commercial, industrial and governmental buildings. In preparing these standards, the commission shall investigate the experience and energy efficiency performance standards of the United States Government, of other states, of foreign countries and of professional organizations, including the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc. Standards for Energy Conservation in New Building Design. The commission shall also recommend methods of implementing these energy efficiency performance standards, which may include energy efficiency requirements for new construction and financial incentives for increasing the energy efficiency of already existing construction. The commission is further empowered to hold not more than 5 public hearings in various parts of the State in order to receive testimony concerning both proposed standards and proposed methods of implementing those standards. It is the purpose and intent of this Act to provide the commission with sufficient authority and funds to enable it to present to the Maine Legislature a complete, practical and efficient proposed code of energy efficiency building performance standards for construction. The commission is authorized to apply for, receive and use funds from any source, including federal, foundation and private sources of funding.

Sec. 2. Membership. The membership of the commission shall consist of 11 persons. The President of the Senate shall appoint 2 members of the Senate and the Speaker of the House shall appoint 2 members of the House. The Governor shall appoint one member who is a registered professional architect, one member who is a registered professional engineer, one member who is a practicing contractor, one member who is a practicing building inspector, one member who represents the banking industry and 2 members, each of whom is an elected official of a county or municipality. Members shall serve for the lifetime of the commission. Any vacancies in commission membership occurring after the initial appointment shall be filled in the manner used to appoint the initial member whose seat is vacant.

Sec. 3. Meetings. The commission shall be appointed promptly upon the enactment of this Act and the Governor shall notify all members of the time and place of the first meeting. At that time the commission shall organize, elect a chairman, vice-chairman and secretary-treasurer and adopt rules as to the administration of the commission and its affairs. The commission shall maintain minutes of its meetings and such financial records as may be required by the State Auditor and shall report periodically its progress to the Governor and to the Legislative Council.

Sec. 4. Support services. The Office of Energy Resources shall provide all necessary staff assistance, research aid, secretarial help and material support. That office shall provide meeting space and shall coordinate the activities of the commission. In addition, that office shall be responsible for the drafting, in final form, of any proposed legislative acts and of any proposed executive regulations which result from the findings of the commission.

Sec. 5. Reimbursement of expenses. The members of the commission

shall serve without compensation, but may be reimbursed for their reasonable expenses in attending meetings, procuring supplies, correspondence and other related and necessary expenditures.

Sec. 6. Funds. The commissioner is authorized to apply for, receive and use funding from any source, including the Federal Government and private foundations, to further the study authorized by this Act.

Effective October 24, 1977

CHAPTER 58

AN ACT Authorizing the Approval of New School Construction in the Town of Stockholm.

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

Whereas, the only school in the Town of Stockholm was totally destroyed by fire on May 21, 1977; and

Whereas, there is a need to replace the school immediately; and

Whereas, there is a statutory moratorium on new school construction until July 1, 1977; 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. New school construction approval authorized. Notwithstanding any other statute to the contrary, the State Board of Education is authorized to approve the construction of a new elementary school to be located in the Town of Stockholm.

Sec. 2. Method of financing. The project shall be financed in accordance with the following: An amount equal to 10% of the estimated state aid shall be paid immediately upon the submission of evidence that a contract for the construction of the project has been executed. The eligible unit shall submit to the Commissioner of Educational and Cultural Services a schedule showing estimates of monthly cash disbursements to be made by the unit for project expenditures. Based upon the estimate of cash requirements, the commissioner, on or about the first of each month, shall pay an amount equal to the state's participation in the estimated project expenditures for that month, which monthly payments shall be continued until the total of all assistance paid equals 95% of the estimated state aid on the project.