

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

of the 120th Legislature by December 15, 2000; and be it further

Sec. 4. Annual Assembly of the Governors and Chiefs. Resolved: That the Maine Indian Tribal-State Commission shall convene an annual Assembly of Governors and Chiefs, including the Governors of the State of Maine and the Passamaquoddy Tribe and the Chiefs of the Penobscot Nation, Houlton Band of Maliseets and Aroostook Band of Micmacs.

See title page for effective date.

CHAPTER 46

H.P. 1027 - L.D. 1444

Resolve, to Designate an East-West Highway and Install Signs on that Highway

Sec. 1. Designate the East-West Highway; install signs. Resolved: That the Department of Transportation shall designate the following roads in Maine as the East-West Highway and install signs indicating these roads as one highway: Route 9 from Calais to Bangor, Interstate 95 from Bangor to Newport and Route 2 from Newport to Rumford to New Hampshire.

See title page for effective date.

CHAPTER 47

S.P. 469 - L.D. 1471

Resolve, Regarding Legislative Review of Chapter 502: Direct Watersheds of Waterbodies Most at Risk from New Development, and Sensitive or Threatened Regions or Watersheds, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Land and Water Quality

Sec. 1. Adoption. Resolved: That final adoption of Chapter 502: Direct Watersheds of Waterbodies Most at Risk from New Development, and Sensitive or Threatened Regions or Watersheds, a provisionally adopted major substantive rule of the Department of Environmental Protection, Bureau of Land and Water Quality, submitted to the Legislature

for review pursuant to the Maine Administrative Procedure Act, is authorized.

See title page for effective date.

CHAPTER 48

H.P. 1330 - L.D. 1880

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1997

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, Androscoggin County has certain expenses and liabilities that must be met as they become due; and

Whereas, it is necessary that the taxes for the year 1997 be immediately assessed in order to provide the required revenue for the county; 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. Androscoggin County; taxes apportioned. Resolved: That the following sum is granted as a tax on Androscoggin County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized in this resolve, and for other purposes of law, for the calendar year 1997:

1997 TAX

\$4,636,447

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums,

Total Appropriations	\$6,378,464
Available Credits:	
Estimated Revenue	\$1,234,515
Community Corrections	352,230
Transfer from Surplus	55,272
Total Available Credits	1,742,017
Amount to be raised by taxation	\$4,636,447

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

Effective May 31, 1997.

CHAPTER 49

S.P. 499 - L.D. 1561

Resolve, to Examine the Impact of Federal Devolution Decisions on Municipalities and Other Local Agencies

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

Whereas, due to decisions at the federal levels increasing governmental responsibilities and duties are being delegated to state and local levels of government; and

Whereas, reductions in the levels of funding for many federal programs have resulted in significantly fewer federal dollars flowing to states and localities just as responsibilities are increasing for those levels of government; and

Whereas, decisions to delegate governmental responsibilities by higher levels of government may ultimately force municipalities and local and regional agencies to accept additional responsibilities and reduced funding with no possibility of passing those new responsibilities on to others; and

Whereas, it is vitally important that an organized effort be put in place to assist municipal and regional agencies to begin to plan for the impact of federal devolution decisions; 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Governor's Municipal Advisory Council to examine the impact of federal devolution decisions on municipalities.

Resolved: That the Governor's Municipal Advisory Council, established pursuant to Executive Order No. 14 FY 1986-87, and referred to in this resolve as "the council" as part of its deliberations shall examine the direct and indirect impacts of the delegation of federal responsibilities and reduction in federal funding levels on municipalities and regional and local agencies and programs. The Department of Administrative and Financial Services, Bureau of the Budget and the Executive Department, State Planning Office shall assist the council in its examination; and be it further

Sec. 2. Report. Resolved: That the council shall report to the Legislature by February 1, 1998 on its findings, recommendations and any necessary implementing legislation; and be it further

Sec. 3. Staff. Resolved: That the State Planning Office shall provide staff support for the council for the purposes provided in this resolve.

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

Effective June 9, 1997.

CHAPTER 50

H.P. 1255 - L.D. 1782

Resolve, Authorizing the Transfer of Land from the State to the Freeman Ridge Cemetery Association

Sec. 1. Transfer of land. Resolved: That the State shall transfer to the Freeman Ridge Cemetery Association, Inc. a parcel of land described as follows: A certain lot or parcel of land, located in the deorganized Town of Freeman, County of Franklin, at the junction of the Freeman Ridge and Ramsdell Hill roads, known as the Freeman Ridge Cemetery and School House lot, and is bounded and described to wit: commencing at an iron pin on the northerly side of the Ramsdell Hill Road 276 feet east of the southwest corner of lot #17 range L; thence northwesterly a distance of 84 feet to a cement post; thence northeasterly a distance of 203 feet to a cement post; thence southeasterly a distance of 138.75 feet to an iron pin; thence southwesterly a distance of 69' 11.5" to an iron pin; thence southeasterly a distance of 69' 11.5" to the Freeman Ridge Road; thence along the