

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

Whereas, Public Law 1999, chapter 401 amended the elderly low-cost drug program and made people that were eligible for the program no longer eligible; and

Whereas, it is necessary to pass this Act as an emergency so that people may qualify for the elderly low-cost drug program; 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. 22 MRSA §254, sub-§§9 and 10, as enacted by PL 1999, c. 401, Pt. KKK, §1 and affected by §10 and c. 531, Pt. F, §2, are amended to read:

9. Household income. "Household income," for the purposes of this section, means all income, as defined in Title 36, section 6201, subsection 9, received by all persons of a household in a calendar year while members of the household; ~~and~~

10. Eligible individuals. To be eligible for the program, an individual must be:

- A. At least 62 years of age; or
- B. Nineteen years of age or older and determined to be disabled by the standards of the federal social security program; and

Sec. 2. 22 MRSA §254, sub-§11 is enacted to read:

11. Retention of eligibility. A person who was eligible for the program at any time from August 1, 1998 to July 31, 1999 and who does not meet the requirements of subsection 10 retains eligibility for the program until February 28, 2001 if that person is a member of a household of an eligible person.

Sec. 3. Legislation. The Joint Standing Committee on Taxation may report out to the Second Regular Session of the 119th Legislature a bill that addresses eligibility for the elderly low-cost drug program beyond February 28, 2001 for persons covered by this Act.

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

Effective March 14, 2000.

CHAPTER 552

H.P. 332 - L.D. 448

An Act Regarding the Maintenance of Private Roads

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

Sec. 1. 23 MRSA §3101, as amended by PL 1997, c. 682, §1, is further amended to read:

§3101. Call of meetings; repairs

Except as provided in this section, when 4 or more parcels of land are benefited by a private way or bridge as an appurtenant easement or by fee ownership of the way or bridge, the owners of any 3 or more of the parcels, as long as at least 3 of the parcels are owned by different persons, may make written application to a notary public to call a meeting, who may issue a warrant setting forth the time, place and purpose of the meeting, copies of which must be posted at some public place in the town and mailed to the owners of all the parcels benefited by the way at the addresses set forth in the municipal tax records, at least 30 days before such time. When so assembled, they may choose a commissioner, to be sworn, and they may determine what repairs are necessary and the materials to be furnished or amount of money to be paid by each owner for the repairs and the manner of calling future meetings. This section does not apply to ways constructed or primarily used for commercial or forest management purposes. As used in this section, "repairs" does not include paving, except to repair existing pavement or in locations where limited paving is demonstrated to be a cost-effective approach for fixing an erosion problem.

Sec. 2. 23 MRSA §3102, as amended by PL 1997, c. 682, §2, is further amended to read:

§3102. Commissioner's duties; neglect of owners to pay

The commissioner chosen under section 3101, with respect to the way or bridge, has the powers of a road commissioner. If any owner, on requirement of the commissioner, neglects to furnish that owner's proportion of labor, materials or money, the same may be furnished by the other owners and recovered of the owner neglecting to pay in a civil action, together with costs of suit and reasonable attorney's fees. The commissioner's apportioning of the cost of repairs to the road undertaken pursuant to the provisions of section 3101 may not exceed 1% of an individual owner's property valuation in any calendar year.

See title page for effective date.