

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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THE KNOWLTON AND McLEARY COMPANY
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

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§ 1214. Recordation

Any conveyance, devise or transfer of island property by operation of law after January 1, 1974 shall be recorded in the registry of deeds in the county in which the island is located and notice of the name and the address of the new owner forwarded to the Coastal Island Registry by the register of deeds on a form prescribed by the Coastal Island Registry for which notice the register of deeds shall charge a fee of \$3.

§ 1215. Rules and regulations

The Forest Commissioner is authorized to promulgate any rules and regulations necessary to carry out the purposes of this chapter.

§ 1216. Limitation

Nothing in this chapter shall preclude the rights of the State to title to property under Title 18, section 1001, subsection 8 or in any action brought to quiet title with respect to island property.

§ 1217. Fees

All registrar fees except those designated for registers of deeds shall be used to carry out the purposes of this chapter. The Forest Commissioner is authorized to accept funding from federal or other public or private sources to carry out the purposes of this chapter.

Sec. 2. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$30,000 to establish the Coastal Island Registry and to carry out the purposes of this Act. Any unexpended balance shall not lapse but shall remain a continuing carrying account until the purposes of this Act have been accomplished.

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

Effective July 5, 1973

CHAPTER 617

AN ACT Expanding and Clarifying the Functions and Purposes of the Panel of Mediators.

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

Sec. 1. R. S., T. 26, §§ 881 to 885, repealed. Section 881, section 882, as amended, section 882-A, as enacted by chapter 19 of the public laws of 1971 and sections 883 to 885 of Title 26 of the Revised Statutes, are repealed.

Sec. 2. R. S., T. 26, § 965, sub-§ 2, repealed and replaced. Subsection 2 of section 965 of Title 26 of the Revised Statutes, as enacted by section 1 of

chapter 424 of the public laws of 1969, is repealed and the following enacted in place thereof:

2. Mediation

A. It is the declared policy of the State to provide full and adequate facilities for the settlement of disputes between employers and employees or their representatives through mediation.

B. Mediation procedures shall be followed whenever either party to a controversy requests such services prior to arbitration, or, in the case of disputes affecting public employers, public employees or their respective representatives as defined, whenever requested by either party prior to arbitration or at any time on motion of the Public Employees Labor Relations Board or its executive director.

C. A Panel of Mediators shall be established and shall consist of not less than 5 nor more than 10 impartial members appointed by the Governor, with the advice and consent of the Council, from time to time upon the expiration of the terms of the several members, for terms of 3 years. Vacancies occurring during a term shall be filled for the unexpired term. Members of the panel shall each receive \$75 a day for their services, for the time actually employed in the discharge of their official duties and shall also receive their travel and all other necessary expenses. The costs for services rendered and expenses incurred by the panel shall be paid by the State from an appropriation for said panel which shall be included in the budget of the Public Employees Labor Relations Board. Authorization for services rendered and expenditures incurred by members of the panel shall be the responsibility of the executive director.

D. The employer, union or employees involved in collective bargaining shall notify the executive director of the Public Employees Labor Relations Board, in writing, at least 30 days prior to the expiration of a contract, or 30 days prior to entering into negotiations for a first contract between the employer and the employees, or whenever a dispute arises between the parties threatening interruption of work, or under both conditions.

E. The executive director of the Public Employees Labor Relations Board shall serve as executive director of the Panel of Mediators. He shall annually, on or before the first of July make a report to the Governor and Executive Council. The executive director of the Public Employees Labor Relations Board, upon request of one or both of the parties to a dispute between an employer and its employees, shall, or upon his own motion or motion of the Public Employees Labor Relations Board may, proffer the services of one or more members of the panel to be selected by him, to serve as mediator or mediators in such a dispute. The member or members so selected shall exert every reasonable effort to encourage the parties to the dispute to settle their differences by conference or other peaceful means. If the mediator or mediators are unable to accomplish this objective and to obtain an amicable settlement of the dispute between the parties, it shall then be the duty of the mediator or mediators to advise the parties of the services available to assist them in settlement of their dispute. At this time, the mediator or mediators shall submit a written report to the executive director stating the action or actions that have been taken and the results of their endeavors.

F. The services of the Panel of Mediators shall not be invoked in any dispute regarding a matter of grievance between the parties to an agreement, if such agreement provides for an alternate method of settlement of such grievance dispute; however, the services of the Panel of Mediators shall always be available as a technique for impasse resolution in contract negotiations and may be invoked as described in paragraph B.

G. Any information disclosed by either party to a dispute to the panel or any of its members in the performance of this subsection shall be privileged.

Effective October 3, 1973

CHAPTER 618

AN ACT to Implement Section 14-D of Article IX of the Constitution of Maine.

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

Sec. 1. R. S., T. 30, c. 239, sub-c. II, Art. 7-A, additional. Subchapter II of chapter 239 of Title 30 of the Revised Statutes, as amended, is further amended by adding a new Article 7-A, to read as follows:

ARTICLE 7-A. HOUSING MORTGAGE INSURANCE LAW

§ 4784. Short title

This Article shall be known and may be cited as the "Housing Mortgage Insurance Law."

§ 4785. Declaration of purpose

The Constitution of Maine, Article IX, section 14-D, provides for "Insuring payment of mortgage loans for Indian housing for the purpose of fostering and encouraging the acquisition, construction, repair or remodeling of houses owned or to be owned by members of the 2 tribes on the several Indian reservations." It is the purpose of this Article to designate the State Housing Authority as the state agency responsible for implementing the powers provided by the Constitution in Article IX, section 14-D.

Whereas the power of the Maine State Housing Authority to insure mortgages on housing, other than Indian housing, needs clarification, and whereas the Maine State Housing Authority is the appropriate agency of the State to administer a State Housing Mortgage Insurance Program and could administer it in conjunction with the Indian Housing Mortgage Insurance Program, it is the further purpose of this Act to provide that clarification.

§ 4786. Definitions

As used in this Article, unless the context otherwise indicates, the following words shall have the following meanings.