

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

The Commissioner of Finance and Administration is authorized to create a dedicated revenue account to receive moneys pursuant to this section from whatever source is available which money may be disbursed solely for the purposes of implementing this section.

Sec. 2. **Appropriation.** There is appropriated from the General Fund the sum of \$2 to carry out the purposes of this Act. The breakdown shall be as follows:

| | 1975-76 | 1976-77 |
|--------------------------------------|---------|---------|
| HEALTH AND WELFARE, DEPARTMENT OF | | |
| All Other | \$1 | \$1 |
| Effective October 1, 1975 | | |

CHAPTER 620

AN ACT Relating to the Application of the State Valuation to Certain State and Town Cost-Sharing Activities.

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

Whereas, the 1975 state valuation is increased from 50% of the just value to 100%; and

Whereas, the cost-sharing for construction and reconstruction of state aid highways and bridges and for the winter maintenance of accepted ways is based on state valuation; and

Whereas, several towns hold their annual town meetings in March to raise and appropriate money for the care of highways and bridges; and

Whereas, legislation is necessary to maintain the current level of state participation in these activities; 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. 23 MRSA § 452, first ¶, as last amended by PL 1973, c. 595, § 1, is further amended to read:

The cost of construction of a bridge built or rebuilt under this subchapter and subchapter 1 shall be divided as follows: When the cost of said construction makes a tax rate of ~~2 1/2~~ 1 1/4 mills or less on the valuation of the town last made by the State ~~Tax Assessor~~ Director of Property Taxation, 45% by the

town, 20% by the county in which said town is located and 35% by the State; when the tax rate determined as above is ~~5~~ $2\frac{1}{2}$ mills, the cost shall be borne as follows: 40% by the town, 20% by the county and 40% by the State; when the tax rate determined as above is ~~7~~ $\frac{1}{2}$ $3\frac{3}{4}$ mills, the cost shall be borne as follows: 35% by the town, 20% by the county and 45% by the State; when the tax rate determined as above is ~~10~~ 5 mills, the cost shall be borne as follows: 30% by the town, 20% by the county and 50% by the State; when the tax rate determined as above is ~~15~~ $7\frac{1}{2}$ mills, the cost shall be borne as follows: 25% by the town, 20% by the county and 55% by the State; when the tax rate determined as above is ~~20~~ 10 mills, the cost shall be borne as follows: 20% by the town, 20% by the county and 60% by the State; when the tax rate determined as above is ~~30~~ 15 mills, the cost shall be borne as follows: 15% by the town, 20% by the county and 65% by the State; when the tax rate determined as above is ~~40~~ 20 mills, the cost shall be borne as follows: 12% by the town, 20% by the county and 68% by the State; when the tax rate determined as above is ~~50~~ 25 mills, the cost shall be borne as follows: 10% by the town, 20% by the county and 70% by the State. For intermediate tax rates the percentage of cost to be borne by the town and State shall be proportional, computed to the nearest tenth of 1%. When the tax rate determined as above is over ~~50~~ 25 mills, the town shall pay a fixed sum, equivalent to ~~$\frac{1}{2}$~~ $\frac{1}{4}$ of 1% of its state valuation, the county 20% of the cost of construction and the State the balance. The cost of reconstruction of a bridge owned and maintained wholly by the county, but located in a town or organized plantation, shall be borne as follows: 50% by the county and 50% by the State.

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% of the current market value as certified and filed biennially by the Director of Property Taxation.

Sec. 2. 23 MRSA § 1005, sub-§ 1, §§ A, B and C, as last amended by PL 1973, c. 583, § 1, and § D, as enacted by PL 1973, c. 583, § 2, are amended to read:

A. If the state valuation exceeds ~~\$1,500,000~~ \$4,250,000, reimbursements will be made to the extent of \$100 per mile in accordance with approved certification of costs.

B. If the state valuation is ~~\$1,000,000~~ \$2,750,000 or less, such municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to said municipalities in accordance with payrolls as submitted and approved; except that such reimbursement shall not exceed \$400 per mile.

C. If the state valuation is more than ~~\$1,000,000~~ \$2,750,000 but does not exceed ~~\$1,250,000~~ \$3,250,000, the municipalities shall bear the first \$70 of cost per mile, and reimbursements shall be made to said municipalities in accordance with payrolls as submitted and approved; except that such reimbursement shall not exceed \$300 per mile.

D. If the state valuation is more than ~~\$1,250,000~~ \$3,250,000 but does not exceed ~~\$1,500,000~~ \$4,250,000, the municipalities shall bear the first \$70 of cost per mile and reimbursements shall be made to said municipalities in accordance with payrolls as submitted and approved; except that such reimbursements shall not exceed \$200 per mile.

Sec. 2-A. 23 MRSA § 1005, last paragraph, as last repealed and replaced by PL 1973, c. 583, § 3, is repealed and the following enacted in place thereof:

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% of the current market value as certified and filed biennially by the Director of Property Taxation and for the purpose of reimbursement, such valuation filed before the first day of February of the year of the regular session of the Legislature shall not prevail until after one winter season commencing after the fall season of said legislative year.

Sec. 3. 23 MRSA § 1101, 2nd ¶, as last amended by PL 1967, c. 544, § 114, is further amended to read:

Towns having a valuation of ~~\$500,000~~ \$1,000,000 or less may appropriate any amount not exceeding \$300; towns having a valuation of over ~~\$500,000~~ \$1,000,000 and not over ~~\$1,600,000~~ \$3,200,000 may appropriate any amount not exceeding \$533; towns having a valuation of over ~~\$1,600,000~~ \$3,200,000 and not over ~~\$2,000,000~~ \$4,000,000 may appropriate an amount not exceeding \$600; and towns having a valuation of over ~~\$2,000,000~~ \$4,000,000 and not over ~~\$6,000,000~~ \$12,000,000 may appropriate in addition to the sum of \$600 an additional sum of \$66 for each ~~\$400,000~~ \$800,000 or fraction thereof valuation in excess of ~~\$2,000,000~~ \$4,000,000; towns having a valuation of over ~~\$6,000,000~~ \$12,000,000 and not over ~~\$8,000,000~~ \$16,000,000 may appropriate not exceeding \$1,333; and towns having a valuation of over ~~\$8,000,000~~ \$16,000,000 may appropriate in addition to the sum of \$1,333 an additional sum not exceeding \$133 for each additional ~~\$2,000,000~~ \$4,000,000 or fraction thereof of additional valuation.

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% of the current market value as certified and filed biennially by the Director of Property Taxation.

Sec. 4. 23 MRSA § 1102, first sentence, as last amended by PL 1971, c. 593, § 22, is further amended to read:

The ~~department~~ Department of Transportation, from the fund provided for the improvement of state aid roads, shall to each town which has conformed to sections 1101 and 1109, for each dollar so appropriated, apportion the following amounts: To each town having a valuation of ~~\$500,000~~ \$1,000,000, or less, \$3.50 for each dollar appropriated by said town; to each town having a valuation of over ~~\$500,000~~ \$1,000,000 and not over ~~\$1,600,000~~ \$3,200,000, \$2 for each dollar appropriated by said town; to each town having a valuation of over ~~\$1,600,000~~ \$3,200,000 and not over ~~\$2,000,000~~ \$4,000,000, \$1.75 for each dollar appropriated by said town; to each town having a valuation of over ~~\$2,000,000~~ \$4,000,000 and not over ~~\$2,400,000~~ \$4,800,000, \$1.55 for each dollar appropriated by said town; to each town having a valuation of over ~~\$2,400,000~~ \$4,800,000 and not over ~~\$2,800,000~~ \$5,600,000, \$1.35 for each dollar appropriated by said town; to each town having a valuation of over ~~\$2,800,000~~ \$5,600,000 and not over ~~\$3,200,000~~ \$6,400,000, \$1.20 for each dollar appropriated by said town; to each town having a valuation of over ~~\$3,200,000~~ \$6,400,000 and not over ~~\$3,600,000~~ \$7,200,000, \$1.10 for each dollar so appropriated by said town; and to each town having a valuation of over ~~\$3,600,000~~ \$7,200,000, \$1 for each dollar so appropriated by said town.

Sec. 4-A. 23 MRSA § 1102, as last amended by PL 1971, c. 593, § 22, is further amended by adding at the end a new paragraph to read:

Notwithstanding any other provisions of law, "valuation," as used in this section, shall mean valuation based upon 100% of the current market value as certified and filed biennially by the Director of Property Taxation.

Sec. 5. Application. The valuation changes in sections 3 and 4 of this Act shall apply to appropriations and apportionments made after the filing of the 1975 state valuation.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except section 2 of this Act shall become effective when reimbursements are made for the 1976-77 winter season.

Effective July 1, 1975. unless otherwise indicated

CHAPTER 621

AN ACT to Create the Commission on Governmental Ethics and Election Practices.

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

Sec. 1. 1 MRSA c. 25 is enacted to read:

CHAPTER 25

GOVERNMENTAL ETHICS

SUBCHAPTER I

STATEMENT OF PURPOSE

§ 1001. Statement of purpose

It is essential under the American system of representative government that the people have faith and confidence in the integrity of the election process and the Members of the Legislature. In order to strengthen this faith and confidence that the election process reflects the will of the people and that each Legislator considers and casts his vote on the enactment of laws according to the best interests of the public and his constituents, there is created an independent commission on governmental ethics and election practices to guard against corruption or undue influencing of the election process and against acts or the appearance of misconduct by Legislators.

§ 1002. Commission on Governmental Ethics and Election Practices

1. **Membership.** The Commission on Governmental Ethics and Election Practices, hereinafter called the "commission," shall consist of 7 members to be appointed as follows:

A. The President of the Senate and the floor leaders of the 2 major parties in the Senate shall each appoint one member, with the concurrence of $\frac{2}{3}$ vote of the Senate. Each such member shall be appointed in January of each even-numbered year, and shall serve a term of 2 years from the date of appointment or until his successor is appointed and qualified.

B. The Speaker of the House and the floor leaders of the 2 major parties in the House of Representatives shall each appoint one member, with the concurrence of $\frac{2}{3}$ vote of the House of Representatives. Each such member shall be appointed in January of each even-numbered year, and shall