

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

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

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PORTLAND LITHOGRAPH COMPANY  
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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
One Hundred and Seventh Legislature  
AT THE FIRST SPECIAL SESSION  
January 19, 1976 to April 29, 1976  
AND THE SECOND SPECIAL SESSION  
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

B. A possible development system of ongoing contact with recent dropouts for the purpose of supplying services in the area of educational and career opportunities with emphasis, where possible, on the development of such specific programs as GED, adult education, tutorial job training, counseling and referral services;

C. Development of orientation and in-service training for teachers and administrators in the school administrative unit which sensitizes and develops an understanding of the dropout problem;

D. Utilization of human service programs within the community's private and public social service agencies to service the community's dropouts;

E. School policy dealing with due process and suspension, expulsion and other forms of disciplinary action; and

F. Attitudes and practices within the school system which may, intentionally or unintentionally discriminate against students because of ethnic, sex, racial or economic background.

Each positive action committee shall convene at least annually after the submission of its original plan and shall make recommendations to the school committee as necessary. All amendments to the plan shall be filed with the department.

4. Technical assistance. The department shall provide reasonable technical assistance as requested to any positive action committee.

5. Existing positive action committees. Members of positive action committees established heretofore pursuant to section 917 may continue to serve on these committees for the duration of their terms.

Effective July 29, 1976

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## CHAPTER 707

### AN ACT to Clarify Municipal Development Authority.

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

Whereas, legislation enacted by the 107th Legislature authorizing municipalities to carry out projects funded by the Federal Government under the Housing and Community Development Act of 1974 may be interpreted as authorizing projects related only to housing; and

Whereas, although the federal legislation relates primarily to housing, a number of Maine communities are desirous of undertaking projects not related to housing and not funded by the Federal Government; 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. 30 MRSA § 4852, sub-§ 2, first sentence, as enacted by PL 1975, c. 389, § 1, is amended to read:

Community development program shall mean a program adopted by a municipality pursuant to this subchapter which shall have as its primary objective the development of a viable community by expanding economic opportunity, by providing public facilities, or by providing decent housing, a suitable living environment and an expansion of economic opportunity which housing shall be principally for persons of low and moderate incomes.

Sec. 2. 30 MRSA § 4852, sub-§ 2, last sentence, as enacted by PL 1975, c. 389, § 1, is amended to read:

Such program shall conform to the municipality's comprehensive plan and to the requirements of Title 1 of the Housing and Development Act of 1974.

Sec. 2-A. 30 MRSA § 4853, sub-§ 4, is enacted to read:

4. Tax increment revenues from rehabilitated or developed property. The legislative body of a municipality may provide that tax increment revenues from property rehabilitated or developed and subsequently sold by the municipality shall be set aside annually and deposited to the credit of a sinking fund, which shall be pledged to and charged with the payment of the interest and principal as they shall fall due, and the necessary charges of paying agents for paying interest and principal of any notes, bonds or other evidences of indebtedness that were issued to fund or refund the rehabilitation or development of such property. Tax increment revenues from property rehabilitated or developed shall be the real property tax revenues received, based on the amount of valuation that exceeds the valuation of the property on the April 1st immediately preceding the adoption of the municipal community development plan. The sinking fund shall be a fund for the benefit of the notes, bonds or other evidences of indebtedness issued to fund or refund the rehabilitation or development of such property, and any moneys deposited therein shall be held and applied solely for such purpose.

Sec. 3. 30 MRSA § 5326, sub-§ 2, as amended by PL 1969, c. 340, § 1, is further amended to read:

2. Industrial-commercial project. "Industrial-commercial project" means any building, structure, machinery, equipment or facilities, including transportation equipment or facilities, which may be deemed necessary for manufacturing, processing, assembling, storing, distributing, retailing or receiving raw materials or manufactured products, or research, or for public accommodation including but not limited to lodging, dining or conventions, together with all lands, property, rights, rights-of-way, franchises, easements and interests in lands which may be acquired by the municipality for the construction or operation of such project.

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

Effective April 1, 1976

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## CHAPTER 708

### AN ACT to Require a Majority of Consumer Representation on Governing Boards of Nonprofit Hospital and Medical Service Organizations.

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

Sec. 1. 24 MRSA § 2302, last paragraph is repealed and the following enacted in place thereof:

There shall be not less than 14 directors, at least a majority of whom shall be consumer representatives. For purposes of this section, "consumer representative" means a person who does not derive more than 20% of annual income, whether directly or through that person's spouse, from the delivery of health care services. The remaining directors shall at all times be licensed health professionals who contract with the corporation for the direct provision of health services, or persons employed by participating health care institutions or organizations that contract with the corporation to provide health services to the corporation's subscribers, or persons employed by associations of providers and professionals of health care services. No director shall serve more than 3 consecutive 3-year terms.

Sec. 2. Effective date. This Act shall become effective on June 1, 1976 or 90 days after adjournment of the Legislature, whichever is later.

Effective July 29, 1976

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## CHAPTER 709

### AN ACT to Require Nursery Schools to Meet Minimum Fire Safety and Health Standards.

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

Sec. 1. 22 MRSA § 3797, as last amended by P.L. 1975, c. 304, §§ 1 and 2, is repealed.

Sec. 2. 22 MRSA c. 1675 is enacted to read: