

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

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Augusta, Maine
1979

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Sec. 9. 19 MRSA § 515, sub-§ 2, as repealed and replaced by PL 1977, c. 694, § 301, is repealed.

Sec. 10. 19 MRSA § 515, sub-§ 2-A, is enacted to read:

2-A. Hearing.

A. The hearing shall be conducted according to rules promulgated by the commissioner. The rules shall provide at least the right to confront and cross-examine witnesses, to present witnesses, to be represented by an attorney or other person and to be notified of these rights in writing. The decision shall be limited to evidence presented at the hearing.

B. If the hearing is on a notice of debt issued under section 500, only the following issues shall be considered:

- (1) Receipt of public assistance by the responsible parent;
- (2) Uncredited cash payments;
- (3) The amount of the debt accrued and accruing; and
- (4) The accuracy of the terms of the court order as stated in the notice of debt.

C. Within 30 days, the responsible parent shall be served with a notice of the results, together with a notice of his right to a judicial review.

Sec. 11. 19 MRSA § 515, sub-§ 3, as enacted by PL 1975, c. 532, § 3, is repealed and the following enacted in its place:

3. Stay. If a pleading is filed in any court that requests modification of a court order for support after a final administrative decision under this section is served on the responsible parent, there shall not be a stay of the department's collection action. If a pleading is filed for judicial review of agency action, the collection action may be stayed as provided in the Maine Administrative Procedure Act, Title 5, section 11004.

Effective September 14, 1979

CHAPTER 260

H. P. 863 — L. D. 1062

AN ACT to Provide for Voter Approval of School Construction Projects.

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

20 MRSA § 3471, sub-§ 2, ¶ E, as amended by PL 1977, c. 690, § 12, is repealed and the following enacted in its place:

E. Prior to final approval by the State Board of Education, any school construction project shall receive a favorable vote in an election conducted in accordance with the following:

(1) In a town or city where the responsibility for final adoption of the school budget is vested in a town or city council by municipal charter, or in a town meeting, the election shall be conducted in accordance with Title 30, sections 2061 to 2065.

(2) In any School Administrative District or vocational region the election shall be conducted in accordance with section 225.

(3) In any community school district, the election shall be conducted in accordance with Title 30, sections 2061 to 2065. The community school district's board of trustees shall:

(a) Issue a warrant specifying that the municipalities within the district place the school construction article on the ballot; and

(b) Prepare and furnish the required number of ballots for carrying out the election.

(4) The article submitted for a vote shall indicate:

(a) That the initial local share of the total cost of the project shall be 5% of the total cost or one mill multiplied by the unit's initial state valuation, whichever is less;

(b) The actual initial local share;

(c) That the entire additional operating costs of the new project during its first 2 years shall be borne by revenues raised by the administrative unit;

(d) The estimated amount of the additional operating costs during each of the first 2 years; and

(e) The rate of the reimbursement from state general fund revenue sources for debt service costs in the year in which the project received concept approval.