

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

SECOND REGULAR SESSION

January 2, 1980 to April 3, 1980

AND AT THE

THIRD SPECIAL SESSION

May 22, 1980

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
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give consent unless it shows that such consent would not be in the person's best interest;

B. The guardian of the developmentally disabled ~~person who is 18 years old or older~~ **adult**, provided the guardian has this power; or

C. The guardian ad litem of developmentally disabled person who is the subject of the information, materials or records.

If the developmentally disabled minor is competent to understand the purpose, significance and result of the use and disclosure of identifiable information, then the agency shall inform him of his right to stop that use and disclosure. The use and disclosure of identifiable information shall stop if he expresses a clear desire that it stop.

Sec. 9. 22 MRSA § 3557 is enacted to read:

§ 3557. Rules

Each state department, in conjunction with the Protection and Advocacy Agency for the Developmentally Disabled in Maine, shall adopt, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, rules for effective implementation of this chapter.

Effective July 3, 1980

CHAPTER 646

H. P. 1853 — L. D. 1952

AN ACT to Equalize the Tax Burden Between Organized and Unorganized Territories for the Purpose of Funding the Maine Forestry District without Cost to the State.

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

Whereas, the cost of forest fire protection for the Maine Forestry District is an integral part of the municipal cost component; and

Whereas, the municipal cost component must be enacted by the Legislature not later than April 15th each year; and

Whereas, this legislation is necessary to provide a more equitable method of determining the cost of forest fire protection in the Maine Forestry District; 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. 12 MRSA § 1601, as last amended by PL 1975, c. 128, § 1, is repealed and the following enacted in its place:

§ 1601. Annual district tax

For fiscal year 1980-81, a tax of 21.3¢ per acre is assessed upon all the taxable land in the Maine Forestry District, including rights in public reserved lots, to be used for the protection thereof. The tax shall be paid on or before the first day of October, 1980. The acreage as determined by the State Tax Assessor shall be the basis for the computation and apportionment of the tax assessed. The State Tax Assessor shall determine the amount of the taxes due for forest fire protection from the unorganized territory of the State in accordance with Title 36, sections 1601 to 1605. The tax assessed shall be valid, and all remedies provided shall be in full force, if the property is described with reasonable accuracy, whether the ownership thereof is correctly stated or not.

For fiscal year 1981-82 and thereafter, the Maine Forestry District tax shall be assessed annually on all taxable property in the Maine Forestry District. The tax is due October 1st annually. The tax to be raised within each member-municipality and the unorganized territory shall be determined by multiplying the total district tax to be raised by the taxable acreage in each town or the unorganized territory over the total taxable acreage in the Maine Forestry District. For the tax year 1981, the State Tax Assessor shall require the municipalities within the Maine Forestry District to report their total taxable acreage, on a form prescribed by him, by November 1, 1980. In subsequent years, this acreage determination shall be made from the municipal valuation return as required in Title 36, section 383.

By November 1st, annually, the Commissioner of Conservation shall submit to the State Tax Assessor a written estimate of the total projected costs of the Maine Forestry District for the next fiscal year.

By January 5th, annually, the Commissioner of Conservation shall submit to the Legislature his written estimate of the total anticipated costs of the Maine Forestry District for the next fiscal year. By April 1st, the Legislature shall determine the amount to be raised for the next fiscal year by the Maine Forestry District tax.

Sec. 2. 12 MRSA § 1608, as amended by PL 1975, c. 128, § 2, is repealed.

Sec. 3. 36 MRSA § 1603, sub-§ 1, ¶ B, as repealed and replaced by PL 1979, c. 440, § 1, is repealed and the following enacted in its place:

B. The cost of services the state funds in the unorganized territory that are funded locally by a municipality; the cost of forest fire protection to be included in the cost component shall be determined in accordance with Title 12, section 1601; and

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

Effective March 24, 1980

CHAPTER 647

H. P. 1946 — L. D. 1994

AN ACT to Revise the Salaries of Certain County Officers.

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

Whereas, the fiscal year for which these salaries apply began on January 1, 1980; 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 § 2, sub-§ 1, ¶ B, as amended by PL 1977, c. 657, § 3, is further amended to read:

B. Aroostook County:

(1) Commissioners		
(a) Chairman	\$ 7,778	\$ 8,556
(b) Members	4,000	4,400
(2) Treasurer	6,000	6,600
(3) Sheriff	13,500	14,850
(4) Judge of probate	8,500	9,350