

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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Sec. 9. 5 MRSA §11006, sub-§1, ¶D, as enacted by PL 1977, c. 551, §3, is repealed and the following enacted in its place:

D. In cases where an adjudicatory proceeding prior to final agency action was not required, and where effective judicial review is precluded by the absence of a reviewable administrative record, the court may either remand for such proceedings as are needed to prepare such a record or conduct a hearing de novo.

Effective July 16, 1986.

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## CHAPTER 681

H.P. 1691 - L.D. 2382

AN ACT to Establish Municipal Cost Components  
for Services to be Rendered in Fiscal  
Year 1986-87.

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

Whereas, prompt determination and certification of the municipal cost components in the unorganized territory tax district is necessary to the establishment of a mill rate and the levy of the unorganized territory educational and services tax; 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Sec. 1. 30 MRSA §5901, sub-§3, as enacted by PL 1983, c. 471, §14, is repealed and the following enacted in its place:

3. Roads and bridges. Construction, repair and maintenance, including snow removal on roads and bridges, except that the county commissioners may not

expend money for improvements, maintenance or snow removal on any privately owned road within the unorganized territory in which the county has not acquired any property interest;

Sec. 2. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 1986-87 is \$6,060,430 as reflected in the following list.

	<u>1986-87</u>
Audit - Report	\$ 3,000
- Fiscal Administrator	63,900
Education - Operations	3,660,770
- Capital - Kingman School	500,000
Forest Fire Protection	89,963
Human Services - General Assistance	218,658
Property Tax Assessment	<u>350,083</u>
Total State Agencies	\$4,886,374

County reimbursement for services:

Aroostook	\$187,685	
Franklin	173,171	
Oxford	99,666	
Penobscot	211,765	
Piscataquis	124,952	
Somerset	195,665	
Washington	<u>73,652</u>	
Total County Services		1,066,556
Amount needed to cancel deficit balance from prior years		<u>110,000</u>
TOTAL REQUIREMENTS		\$6,062,930

COMPUTATION OF ASSESSMENT

TOTAL REQUIREMENTS		\$6,062,930
LESS: Special Revenue to be used by State Tax Assessor under the Maine Revised Statutes,		

1986-87

Title 36, §1602, sub-  
section 4, ¶B (100,000)

TAX ASSESSMENT \$5,962,930

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

AUDIT, DEPARTMENT OF

·Unorganized Territory  
All Other \$ 2,500  
Provides funds for additional travel for fiscal administrator.

EDUCATIONAL AND CULTURAL SERVICES,  
DEPARTMENT OF

Education in Unorganized Territory  
All Other \$597,134  
Provides \$97,134 additional operating funds for education in the unorganized territory and \$500,000 for improvements to the Kingman School.

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

Effective April 14, 1986.

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**CHAPTER 682**

S.P. 652 - L.D. 1684

**AN ACT to Amend the Access Roads to Public  
Ski Areas.**

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