

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

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

Twin City Printery
Lewiston, Maine
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

Provides funding for purchase of computer system.

Total	\$ 0	\$300,472
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Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 14, 1988.

CHAPTER 93

H.P. 1578 — L.D. 2153

AN ACT to Fund and Implement Certain Collective Bargaining Agreements and to Fund and Implement Benefits for Certain Employees Excluded from Collective Bargaining.

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

Whereas, certain obligations and expenses incidental to the operation of the State and the Judicial Department collective bargaining agreements will become due and payable immediately; and

Whereas, it is the responsibility of the Legislature to act upon those portions of tentative collective bargaining agreements negotiated by the judicial branch which require legislative action; and

Whereas, the Governor and the Legislature also share a desire to address the needs of certain Judicial Department employees excluded from collective bargaining units on a timely basis; 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:

PART A

Sec. 1. Costs to the General Fund. There is appropriated in Part C of this Act funding sufficient when combined with other available funds to cover the costs to the General Fund in the amount of \$276,694 for the fiscal year ending June 30, 1988, and the amount of \$515,976 for the fiscal year ending June 30, 1989, to implement the economic terms of the collective bargaining agreements agreed to by the Judicial Department and the Maine State Employees Association for the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit.

Sec. 2. Special account funding. Funding provid-

ed by this Act shall be segregated into a special account to be made available as needed upon the recommendation of the State Budget Officer with the approval of the Governor. The funds shall include retirement costs.

Sec. 3. Adjustment of salary schedule for fiscal year 1988. Effective at the beginning of the pay week commencing closest to July 1, 1987, the salary schedule for employees in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit shall be adjusted by 4% consistent with the terms of the collective bargaining agreements.

Sec. 4. Adjustments of salary schedule for fiscal year 1989. Effective at the beginning of the pay week commencing closest to July 1, 1988, the salary schedule for the employees in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit shall be adjusted by 2.15% consistent with the terms of the collective bargaining agreements. Effective at the beginning of the pay week closest to January 1, 1989, these salary schedules shall again be adjusted by 2.85% consistent with the terms of the collective bargaining agreements.

Sec. 5. Other employees; similar and equitable treatment. Employees in classifications included in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit, but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, F and G, shall be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

PART B

Sec. 1. Definition of excepted employees. For the purposes of this Part, "excepted employees" are defined as those within the judicial branch who are in positions excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D and E, other than those referred to in Part A, section 5.

Sec. 2. Costs to the General Fund. There is appropriated in Part C of this Act funding sufficient when combined with other available funds to cover the costs to the General Fund in the amount of \$28,010 for the fiscal year ending June 30, 1988, and in the amount of \$70,919 for the fiscal year ending June 30, 1989, to fund salary and benefit changes for excepted employees.

Sec. 3. Adjustment of salary schedule for fiscal year 1988. Effective at the beginning of the pay week commencing closest to July 1, 1987, the salary schedule for excepted employees shall be adjusted by 3%.

Sec. 4. Adjustment of salary schedule for fiscal year 1989. Effective the beginning of the pay week com-

mencing closest to July 1, 1988, the salary schedule for excepted employees shall be adjusted by 3%. Effective at the beginning of the pay week commencing closest to January 1, 1989, this salary schedule shall again be adjusted by 3%.

PART C

Sec. 1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1987-88</u>	<u>1988-89</u>
<u>FINANCE, DEPARTMENT OF</u>		
Salary Plan		
Personal Services	\$304,704	\$586,895

Sec. 2. Carrying clause. Any balances remaining from special accounts established by this Act shall not lapse, but shall be carried forward to June 30, 1989.

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

Effective March 14, 1988.

CHAPTER 94

S.P. 896 — L.D. 2325

AN ACT Making an Amendment to the Charter of the Jackman Water District.

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

P&SL 1971, c. 119, §6, 4th ¶, last sentence is amended to read:

The trustees, as such, shall receive as compensation for their services an amount to be determined by them not to exceed \$50 each per year as authorized by the municipal officers pursuant to the Maine Revised Statutes, Title 35-A, section 6303, subsection 4.

Effective August 4, 1988.

CHAPTER 95

S.P. 824 — L.D. 2146

AN ACT to Amend the Charter of the Jackman Sewer District to Make the Provisions for Collection of Unpaid Rates Conform to the General Provisions for Collection of Unpaid Rates by Sanitary Districts.

Emergency preamble. Whereas, Acts of the Legis-

lature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the existing provision of the Jackman Sewer District charter providing a lien for payment of rates contains certain unconstitutional provisions; and

Whereas, it is imperative that action be taken at the earliest possible moment to eliminate such conditions; 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:

P&SL 1969, c. 88, §17, as amended by PL 1985, c. 30, is repealed and the following enacted in its place:

Sec. 17. Lien for payment of rates. There shall be a lien to secure the payment of rates and other lawful charges established under section 16 of this Act and legally assessed on real estate served or benefited by the sewers of the district, which shall take precedence over all other claims on such real estate, excepting only claims for taxes.

The treasurer of the district shall have full and complete authority and power to collect the rates, tolls, rents and other charges established under section 16 and the same shall be committed to him. The treasurer may sue, after demand for payment, in the name of the district in a civil action for any rate, toll, rent or other charge remaining unpaid in any court of competent jurisdiction. In addition to other methods established by law for the collection of rates, tolls, rents and other charges, and without waiver of the right to sue for the same as aforesaid, the lien created in this section may be enforced in the following manner. The treasurer, when a rate, toll, rent or other charge has been committed to him for collection, may, after the expiration of 3 months and within one year after the date when the same became due and payable, give to the owner of the real estate served, or leave at his last and usual place of abode, or send by certified mail, return receipt requested, to his last known address, a notice in writing signed by the treasurer or bearing his facsimile signature, stating the amount of that rate, toll, rent or other charge, describing the real estate upon which the lien is claimed and stating that a lien is claimed on the real estate to secure the payment of the rate, toll, rent or other charge and demanding the payment of the rate, toll, rent or other charge within 30 days after service or mailing, with \$1 for the treasurer for mailing the notice, together with the certified mail, return receipt requested fee. The notice shall contain a statement that the district is willing to arrange installment payments of the outstanding debt. For the purpose of this section, a mobile home is defined as real