

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE
1989

Provides for the deallocation of funds not required in fiscal year 1989-90 in order to fund highway programs with a higher priority.

Highway and Bridge Improvement

Personal Services	\$1,412	\$1,412
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Provides funds for the reclassification of an Engineering Technician II to a Management Analyst II position.

Highway and Bridge Improvement

All Other	(\$654,081)	(\$712,792)
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Provides funds for the reduction in the All Other category in order to fund required Personal Services to meet the environmental and engineering demands of the Highway and Bridge Improvement Program.

Highway and Bridge Improvement

Capital Expenditures	(\$500,000)	(\$500,000)
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Provides funds for the reduction in the Capital Expenditures category to reflect the department's decision not to move forward with the Railroad Bridge Programs in fiscal years 1989-90 and 1990-91.

DEPARTMENT OF TRANSPORTATION TOTAL	<u>(\$2,644,294)</u>	<u>\$2,596,071</u>
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TOTAL ALLOCATIONS SECTION 1	<u>(\$22,611)</u>	<u>\$3,440,231</u>
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Sec. 13. Allocations; Highway Fund. There are allocated from the Highway Fund the following sums to the following departments for the fiscal years ending June 30, 1990, and June 30, 1991, in order to provide funding for approved reclassifications and salary range changes.

	1989-90	1990-91
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Personal Services	\$26,129	\$24,511
DEPARTMENT OF PUBLIC SAFETY TOTAL	<u>\$26,129</u>	<u>\$24,511</u>
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Personal Services	\$40,743	\$35,631
DEPARTMENT OF THE SECRETARY OF STATE TOTAL	<u>\$40,743</u>	<u>\$35,631</u>

TRANSPORTATION, DEPARTMENT OF

Administration and Planning

Personal Services	\$24,972	\$12,441
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Highway and Bridge Improvement

Personal Services	\$16,272	\$7,801
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Traffic Service

Personal Services	\$4,643	\$4,643
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DEPARTMENT OF TRANSPORTATION TOTAL	<u>\$45,887</u>	<u>\$24,885</u>
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TOTAL ALLOCATIONS, SECTION 2	<u>\$112,759</u>	<u>\$85,027</u>
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Sec. 14. Carrying clause. Any unencumbered balance in the Department of the Secretary of State, Division of Motor Vehicles, Account #05062.1, that was allocated for the purpose of purchasing computer hardware and related software as well as for funding approved in fiscal year 1988-89 for a Division of Motor Vehicles' building shall not lapse but shall carry forward until June 30, 1990.

Sec. 15. Encumbered balances at year end. At the end of each fiscal year, all encumbered balances shall not be carried forward more than once.

Sec. 16. Effective date. Sections 1, 2 and 11 of this Act shall take effect March 1, 1990. Sections 8 and 10 shall take effect 90 days after adjournment.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1989.

Effective July 1, 1989.

CHAPTER 516

S.P. 50 - L.D. 23

An Act to Amend the Local Road Assistance Distribution Formula

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

Whereas, the current distribution formula for the Local Road Assistance Program is inequitable and changes are immediately necessary to correct this inequity; and

Whereas, the changes to the distribution formula must take effect prior to the next biennial apportionment of funds from the Local Road Assistance Fund; and

Whereas, that next biennial apportionment will occur prior to the expiration of the 90-day period; 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. 23 MRSA §1802, as amended by PL 1987, c. 737, Pt. C, §§68 and 106, is repealed.

Sec. 2. 23 MRSA §1802-A is enacted to read:

§1802-A. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Average miles maintained. "Average miles maintained" means the sum of the number of miles of public road maintained by the municipality in the summer plus the number of miles of public road maintained in the winter, divided by 2.

Sec. 3. 23 MRSA §1803, as amended by PL 1985, c. 403, Pt. C, §1, is repealed.

Sec. 4. 23 MRSA §1803-B is enacted to read:

§1803-B. Fund distribution

1. Distribution. Subject to the limitations set out in subsection 4, funds from the Local Road Assistance Program shall be distributed to each municipality based on the average miles maintained by the municipality multiplied by an amount not less than \$1,200.

2. Retention of allocation for Local Road Assistance Program. Prior to apportioning funds to each municipality, the department shall retain sufficient funds from the allocation for the Local Road Assistance Program to assure equitable funds are provided for roads in unorganized areas and for administration.

3. Payment of funds. One quarter of the funds apportioned to each municipality shall be paid by the State to the municipality before September 1st, December 1st, March 1st and June 1st each year.

4. Limitations. The distribution authorized in this section is subject to the following limitations.

A. The distribution to a municipality may not be reduced by more than the following percentages based on the distribution to that municipality in fiscal year 1988-89, including the 22% one-time stipend for that year:

- (1) Ten percent for fiscal year 1989-90;
- (2) Twenty percent for fiscal year 1990-91;
- (3) Thirty-five percent for fiscal year 1991-92; and

(4) Fifty percent for fiscal year 1992-93.

B. The distribution to a municipality may not be increased by more than the following percentages based on the distribution to that municipality in fiscal year 1988-89, including the 22% one-time stipend for that year:

- (1) Fifteen percent for fiscal year 1989-90;
- (2) Thirty-five percent for fiscal year 1990-91;
- (3) Seventy percent for fiscal year 1991-92; and
- (4) One hundred percent for fiscal year 1992-93.

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

Effective July 1, 1989.

CHAPTER 517

S.P. 663 - L.D. 1776

An Act Concerning the Salaries of the Washington County Treasurer and Deputy Treasurer

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

Whereas, it is necessary that this legislation be enacted as an emergency measure in order that it take effect at the beginning of fiscal year 1989-90; 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-A MRSA §2, sub-§1, ¶1M, as repealed and replaced by PL 1989, c. 476, is amended to read:

M. Washington County:	1989
(1) Commissioners	
(a) Chairman	\$ 4,872
(b) Members	4,061
(2) Treasurer	45,000 <u>9,000</u>
(3) Deputy Treasurer	<u>6,000</u>