

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

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 C, §§68 and 106, is repealed.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 C, §1, is repealed.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>

(3) (4) Sheriff	27,000
(4) (5) Judge of Probate	14,526
(5) (6) Register of Probate	16,000
(6) (7) Register of Deeds	16,000

1989-90

**EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF**

All Other \$5,000

Provides start-up funds for a central information system on disability resources to be developed with substantial participation by people with disabilities. The department shall determine how to streamline the application process and develop a single entry point application process to enable any disabled person to apply for any available service or services from one location in that person's community. The department shall make recommendations regarding the application process and provide funds necessary to implement this obligation.

Sec. 2. General Fund expenditure authorized.

The personal services funds set out in Resolve 1989, chapter 36, section 2, under the Appropriation Account Number 1025, under the caption County Treasurer shall be apportioned as follows: \$9,000 shall be the salary for the County Treasurer; and \$6,000 shall be the salary for the Deputy Treasurer.

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

Effective July 1, 1989.

CHAPTER 518

H.P. 1287 - L.D. 1780

**An Act to Amend the Process by Which
People with Disabilities Are Able to Acquire
Information and Apply for Services**

PART B

PL 1987, c. 845, §4 is amended to read:

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

Whereas, there will be a potential loss of money unless this legislation is enacted as an emergency; 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. 20-A MRS §256, sub-§6 is enacted to read:

6. Central information system. The department shall include in the department's annual budget funds necessary to initiate and maintain a central information system on resources for people with disabilities. The system should be community-based and developed with substantial participation by people with disabilities.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

Sec. 4. Personal care assistants; wages, benefits and overnight pay. The Bureau of Rehabilitation, in establishing and administering a program of personal care assistance services for severely disabled adults, shall expand its present program to serve an additional 20 new consumers and shall provide through contract with providers of in-home personal care assistance for an average compensation a reimbursement rate of \$7 an hour for personal care assistants assistance services, payment of \$12 each night for each client to overnight attendants and the establishment of a pro rata group benefits package, not to exceed \$1,000 for each personal care attendant per consumer, to provide including health insurance, vacation and sick leave for personal care assistants. In overseeing the use of funds for increased wages of personal care assistance workers, the Bureau of Rehabilitation shall take into account regional variations in the cost of living and competitive, wage rates across the State.

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

Effective July 1, 1989.

CHAPTER 519

H.P. 1285 - L.D. 1777

**An Act to Correct Certain
Technical Errors in the Laws of Maine**