

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

H. Interest or dividends on obligations or securities of any state or of a political subdivision or authority, other than this State and its political subdivisions and authorities.

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

Effective April 20, 1990.

CHAPTER 881

H.P. 1771 - L.D. 2441

An Act to Establish Municipal Cost Components for Services to be Rendered in Fiscal Year 1990-91

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 are 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. 36 MRSA §1602, sub-§4, ¶B-1 is enacted to read:

B-1. Beginning in fiscal year 1990-91, the district-wide mill rate may include a state cost allocation charge, not to exceed 15% of the total state agency reimbursements for direct services rendered. Funds from this charge must be used to reimburse the General Fund for general department-wide functions such as accounting, personnel administration and supervision.

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 1990-91 is as follows:

	1990-91
Audit - Report	\$2,000
- Fiscal Administrator	84,984

Education - Operations	6,170,272
- Deorganized Towns	271,691
- Full Time Principals	18,854
- Capital Repairs and Buses	200,000
- New Positions	177,958
Forest Fire Protection	150,000
Human Services - General Assistance	179,000
Property Tax Assessment - Operations	477,240
Total State Agencies - Direct Services	<u>\$7,731,999</u>
State CAP charge - 13%	1,005,160
Total State Agencies	<u>\$8,737,159</u>
County reimbursements for services:	
Aroostook	\$421,830
Franklin	228,025
Oxford	195,201
Penobscot	193,896
Piscataquis	554,086
Somerset	491,807
Washington	334,015
Total County Services	<u>\$2,418,860</u>
TOTAL REQUIREMENTS	<u>\$11,156,019</u>
COMPUTATION OF ASSESSMENT	
Requirements	\$11,156,019
Less deductions:	
General -	
State Revenue Sharing	190,000
Miscellaneous Revenues	<u>80,000</u>
TOTAL	\$270,000
Educational -	
Lands Reserve Trust	130,000
Tuition - Travel	100,000
Miscellaneous	197,958
Special - Retirement	<u>400,000</u>
TOTAL	<u>\$827,958</u>
TOTAL DEDUCTIONS	<u>\$1,097,958</u>
TAX ASSESSMENT	\$10,058,061

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

1989-90

**EDUCATIONAL AND CULTURAL
SERVICES, DEPARTMENT OF**

Education in Unorganized Territory

Capital Expenditures \$200,000

Provides funds for the roof repairs at Connor and Edmond schools and the purchase of school buses needed for the safety of the children in the unorganized territory. These funds will be reimbursed to the General Fund from the Unorganized Territory Education and Services Fund.

Sec. 4. Aroostook County, Sinclair Sanitary District. The Aroostook County Commissioners are authorized to guarantee 2 loans to be made by the Sinclair Sanitary District. The first loan may not exceed \$150,000 for an engineering study.

The 2nd loan, if the project is approved by the federal Environmental Protection Agency and the Department of Environmental Protection, may not exceed \$150,000 to continue the project. It is the intent of the Legislature that the Sinclair Sanitary District should consider expanding the boundaries of the district to include Mud Lake and Cross Lake (T17R5) for implementation in this engineering study and design.

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

Effective April 20, 1990.

CHAPTER 882

H.P. 1828 - L.D. 2500

**An Act to Allow the Harness Racing
Commission More Flexibility**

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

8 MRSA §268, last ¶, as enacted by PL 1987, c. 886, §1, is repealed and the following enacted in its place:

The commission may authorize licensees of extended meets to provide for the simulcasting of entire racing cards during the first 6 weeks of each year. This paragraph is repealed January 1, 1992.

See title page for effective date.

CHAPTER 883

S.P. 1005 - L.D. 2501

An Act Relating to the Whitewater Rafting Laws

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

Whereas, this legislation affects the whitewater rafting industry, which operates primarily during the spring, summer and fall seasons; and

Whereas, this legislation should be in effect before the start of the whitewater rafting season to allow these provisions to be implemented uniformly throughout the entire rafting season; 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 §7363, sub-§2, as amended by PL 1985, c. 571, §1, is further amended to read:

2. Affiliated outfitter. "Affiliated outfitter" means:

A. Any outfitter who owns directly, indirectly or through a chain of successive ownership 10% or more of the financial interest in any other outfitter;

B. Any outfitter, 10% or more of whose financial interests are owned directly or indirectly or through a chain of successive ownership by any other outfitter;

C. Any outfitter, 10% or more of whose financial interests are owned directly or indirectly or through a chain of successive ownership by a person who owns 10% or more of the financial interest in another outfitter; or

D. Any outfitter who, in the year 1982 or thereafter:

(1) Purchases, leases, borrows, accepts, receives or otherwise obtains on a nonarms-length basis from another whitewater outfitter, either directly or indirectly, more than 1/2 of its real or personal property; or

(2) Receives from another outfitter on a nonarms-length basis more than 1/2 of the ordinary services related to the business of whitewater outfitting, including, but not