

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

PRIVATE AND SPECIAL 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

State are ratified and approved as compliance with the referendum requirement and all other requirements for the taking effect of Private and Special Law 1985, chapter 110; that from and after the date of the special town meeting at which the boundary extension was voted upon, Private and Special Law 1985, chapter 110, has been in effect; and from and after such date the territorial limits of the Gray Water District include the entire Town of Gray.

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

Effective April 20, 1990.

CHAPTER 137

H.P. 1774 - L.D. 2442

An Act to Provide Funds for a Design Competition for the Construction of a New Supreme Judicial Court Facility in Augusta

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

Sec. 1. Resolve 1987, c. 107, 2nd resolve clause, 2nd sentence, as amended by PL 1989, c. 501, Pt. P, §34, is further amended to read:

This planner shall be required to have available in sufficient time to be included in legislation presented to the Second Regular Session of the 114th Legislature a cost estimate of sufficient accuracy as to be suitable for a request for funding to cover completely all aspects of the construction of this court facility including adequate parking facilities. In the event the 114th Legislature fails to pass legislation to provide a bond issue for construction, the commission shall continue its study for the purpose of resubmitting that legislation to any session of the 115th Legislature or the First Regular Session of the 116th Legislature; and be it further

Sec. 2. Resolve 1987, c. 107, 3rd resolve clause, 2nd ¶, first sentence, as amended by PL 1989, c. 501, Pt. P, §35, is further amended to read:

All preparation for the design competition that does not require funding shall ~~be completed by November 1990~~ continue until a bond for construction has been approved.

See title page for effective date.

CHAPTER 138

S.P. 720 - L.D. 1895

An Act to Permit Changes in the Charter of the City of Ellsworth School District

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

Sec. 1. P&SL 1949, c. 9, §4, first sentence, as amended by P&SL 1975, c. 1, §1, is further amended to read:

To procure funds for the purposes of this Act, and for such other expenses as may be necessary to carry out said purposes, the said trustees are hereby authorized from time to time to borrow money and to issue its bonds and notes therefor, but no indebtedness ~~shall~~ may be incurred which causes the total indebtedness then outstanding to exceed ~~\$1,400,000~~ \$5,000,000.

Sec. 2. P&SL 1949, c. 9, §7-A is enacted to read:

Sec. 7-A. Alternative provisions for termination of the board of trustees. At such time as the City of Ellsworth assumes the obligation to pay all of the principal and interest coming due on indebtedness incurred by the district and all other outstanding obligations of the district, the board of trustees shall automatically cease to function and all of the duties, management, care and maintenance of the property of the district reverts to the school board of the City of Ellsworth or such other board as may at that time have jurisdiction over similar school property, and the then president and treasurer of said district shall cause to be executed, signed and delivered a good and sufficient deed of all the property of the district to the City of Ellsworth. All money, if any remaining in the treasury of the district at the time said trustees cease to function, must be given to the city treasurer of the City of Ellsworth. This money must be used only for school purposes and kept separate from all other money until authorized by the council of the City of Ellsworth to be expended for one or more of the purposes stated in this Act.

The City of Ellsworth may assume all the obligations of the district as aforesaid by vote at an annual or special city election called, advertised and conducted in accordance with the laws relating to municipal elections. The city clerk shall prepare the required ballots, on which the city clerk shall include the following question: "Shall the City of Ellsworth assume the obligation to pay all the indebtedness and other obligations of the City of Ellsworth School District, thereby terminating said district and transferring its property to the city?" Upon the approval of that question by a majority of the legal voters voting at that election, the city council of the City of Ellsworth shall perform and carry out the duties of the trustees of the district, provided for in section 6 and the treasurer of the city shall perform and carry out the duties of the treasurer of the district, as provided for in section 6.

Sec. 3. Proposed renovation. The proposed renovation of Ellsworth High School is deemed to be a school construction project for purposes of the Maine Revised Statutes, Title 20-A, chapter 609.

Sec. 4. Referendum. This Act takes effect 90 days after adjournment of the Legislature for the purpose of submission to the legal voters of the City of Ellsworth at the next regular municipal election of the City of Ellsworth, or at a special election called and held for that purpose. This election must be held no later than the next annual municipal election after the effective date of this Act. If a special election is called for that purpose, the special election must be called, advertised and conducted according to the law relating to municipal elections, except that the board of voter registration is not required to prepare for posting, nor is the city clerk required to post, a new list of voters. For the purpose of registration of voters, the board of voter registration must be in session on the last secular day preceding the special election. The voters shall vote on the following questions and the votes shall have the following effects:

1. The first question is:

“Shall the limit on the bonded indebtedness of the Ellsworth School District be increased to \$5,000,000?”

Section 1 of this Act takes effect when a majority of the legal voters of the City of Ellsworth voting at the election vote in the affirmative on this question.

2. The 2nd question is:

“Shall the charter of the City of Ellsworth School District be amended to permit the City of Ellsworth to assume the obligations of the City of Ellsworth School District, and to provide for the termination of the City of Ellsworth School District, if voters of the City of Ellsworth vote for the assumption and termination?”

Section 2 of this Act takes effect when a majority of the legal voters of the City of Ellsworth voting at the election vote in the affirmative on this question.

The result of the votes must be declared by the municipal officers of the City of Ellsworth and certification filed by the city clerk with the Secretary of State.

See title page for effective date, unless otherwise indicated.

CHAPTER 139

S.P. 753 - L.D. 1961

An Act Relating to the Collection of Health Data in Ambulatory Settings

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

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

1990-91

MAINE HEALTH CARE FINANCE COMMISSION

Health Care Finance Commission

All Other \$1,800

Provides funds to cover the cost of collecting certain outpatient data. Funds will be used to edit data and cover general operating expenses.

MAINE HEALTH CARE FINANCE COMMISSION

TOTAL \$1,800

HUMAN SERVICES, DEPARTMENT OF

Health Care Benefits for Uninsured Individuals

All Other (\$1,800)

Provides for the deappropriation of excess funds that will not be used to contract for consultant services.

DEPARTMENT OF HUMAN SERVICES

TOTAL (\$1,800)

TOTAL APPROPRIATIONS -0-

See title page for effective date.

CHAPTER 140

S.P. 766 - L.D. 1991

An Act to Consolidate Funding of the Protection and Advocacy Agency for Persons with Disabilities

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

Whereas, contracts with the Department of Education and the Department of Mental Health and Mental Retardation cause unnecessary administrative costs and conflicts of interest; 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,