

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**RESOLVES**

**OF THE**

**STATE OF MAINE**

**AS PASSED AT THE**

**FIRST REGULAR SESSION**

**of the**

**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**1989**

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Topsfield	5,484.96
Vanceboro	680.04
Waite	660.34
Wesley	367.98
Whiting	2,730.96
Whitneyville	901.44

**York County**

Alfred	225.84
Arundel	362.88
Berwick	383.04
Biddeford	166.56
Buxton	291.36
Cornish	346.32
Dayton	.49
Eliot	121.44
Hollis	408.78
Kennebunk	161.46
Kennebunkport	321.60
Lebanon	1,225.68
Limerick	70.08
Limington	387.24
Lyman	804.72
Ogunquit	18.90
Old Orchard Beach	29.52
Parsonsfield	223.92
Saco	202.68
Sanford	1,053.60
Shapleigh	341.28
Waterboro	259.20
Wells	1,362.00
York	185.76

<b>TOTAL</b>	<b>\$324,269.66</b>
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**Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Effective June 21, 1989.

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## CHAPTER 38

**S.P. 523 - L.D. 1430**

### **Resolve, to Establish a Charter Commission to Review Androscoggin County Government**

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

**Whereas,** there is a critical need to revise Androscoggin County government to enhance its effectiveness and accountability; and

**Whereas,** the publicly elected members of the commission to review Androscoggin County government will be elected in the November 1989 elections; 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

**Charter commission referendum. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 30-A, section 1321, a county referendum shall be held in Androscoggin County at the November 1989, regular election to determine whether a charter commission should be established for the purpose of revising the charter or establishing a new charter for Androscoggin County.

Insofar as it is not inconsistent with this resolve, the conduct of the referendum, commission membership, charter amendments, submission to voters and judicial review shall be as set forth in the Maine Revised Statutes, Title 30-A, chapter 11, subchapter II.

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

Effective June 21, 1989.

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## CHAPTER 39

**H.P. 1069 - L.D. 1491**

### **Resolve, to Establish the Commission to Study Real Estate Appraiser Certification and Licensing**

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

**Whereas,** the Commission to Study Real Estate Appraiser Certification and Licensing is to report to the committee having jurisdiction over business legislation by December 1, 1989; and

**Whereas,** without placing this legislation on an emergency basis, the committee will not be able to begin its study until September; and

**Whereas,** a September start would not provide adequate time for the committee to adequately study the subject; 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

**Sec. 1. Commission established; study. Resolved:** That there is established the Commission to Study Real Estate Appraiser Certification and Licensing. The commission shall study and recommend the best way to implement the requirements of the United States Office of Management and Budget regulations contained in OMB Circular A-129. The regulations state that beginning July 1, 1991, all real estate transactions involving federal funds will

require the use of a state licensed or certified appraiser, depending on the complexity of the transaction. The commission is charged with recommending the best way to set up a state licensing and certification program for real estate appraisers; and be it further

**Sec. 2. Membership; appointment. Resolved:** That the commission shall be comprised of the following 9 members all appointed by the Governor: one person from the Real Estate Commission; one person from the Bureau of Banking; one person from the Department of Transportation; 3 persons from the appraisal industry; one person from the real estate industry; one person from the banking industry; and one person from the consuming public. The Governor shall complete appointments by July 15, 1989, and call the first meeting of the commission no later than August 10, 1989. The commission shall appoint a chair at its first meeting; and be it further

**Sec. 3. Compensation. Resolved:** That commission members shall receive no compensation; and be it further

**Sec. 4. Staff assistance. Resolved:** That any needed staff assistance shall be provided by the Department of Professional and Financial Regulation; and be it further

**Sec. 5. Report. Resolved:** That the commission shall report its findings and recommendations, including any implementing legislation, to the joint standing committee of the Legislature having jurisdiction over business legislation by December 1, 1989.

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

Effective June 22, 1989.

## CHAPTER 40

S.P. 583 - L.D. 1645

### Resolve, to Provide for the Evaluation of Fire Safety Standards in Buildings Occupied by State Workers

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

**Whereas,** the Commissioner of Administration, in conjunction with the Interdepartmental Committee on Safety in the Workplace and the Labor Management Committee on Building Safety are directed by this resolve to evaluate fire safety standards in buildings occupied by state workers and report their findings and recommendations, including any necessary implementing legislation, to the Second Regular Session of the 114th Legislature; and

**Whereas,** this evaluation must be initiated prior to the effective date of legislation enacted by the First Regular Session of the 114th Legislature; 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

**Sec. 1. Evaluation of fire safety standards. Resolved:** That the Commissioner of Administration, working with the Interdepartmental Committee on Safety in the Workplace and the Labor Management Committee on Building Safety, shall evaluate the effectiveness and implementation of fire safety standards in buildings occupied by state workers including state-owned and leased facilities. Facility areas to be evaluated shall include, but not be limited to, exit doors, fire escapes, upper floor exits, basements, incompatible uses, sprinklers, fire drills and emergency lights; and be it further

**Sec. 2. Consultation with other interested parties. Resolved:** That the Commissioner of Administration shall consult with the Department of Public Safety, the Maine Fire Chiefs Association, an organization representing municipal code enforcement officers and an organization representing landlords who lease facilities in which state employees work, with respect to the evaluation required in this resolve; and be it further

**Sec. 3. Report. Resolved:** That the Commissioner of Administration shall report the findings of the required evaluation, along with recommendations for implementation, and, if possible, estimated costs of these recommendations to the Joint Standing Committee on State and Local Government no later than January 31, 1990.

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

Effective June 22, 1989.

## CHAPTER 41

H.P. 1055 - L.D. 1477

### Resolve, Concerning Africanized Bees

**Report. Resolved:** That the Commissioner of Agriculture, Food and Rural Resources shall submit a report, including any necessary implementing legislation, by February 15, 1990, to the joint standing committee of the Legislature having jurisdiction over agricultural matters regarding the possible migration and importation of Africanized bees into the State, the potential health issues posed by the presence of Africanized bees, any recommendations for detection and prevention of the movement of Africanized