

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

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
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1989

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

bees into the State and recommendations for mitigating the impacts of Africanized bees on the public and on agriculture.

shall return those ballots to the town clerk who shall dispose of them as provided by state law.

See title page for effective date.

See title page for effective date.

CHAPTER 42

H.P. 935 - L.D. 1300

Resolve, to Request that the Board of Trustees of the University of Maine System Determine the Cost of Establishing a Training Program for Nurse Practitioners in Northern Maine

Board of Trustees of the University of Maine System authorized to study establishment of training program. Resolved: That the Board of Trustees of the University of Maine System is directed to conduct a study to determine the costs of establishing an advanced nursing degree program for nurse practitioners in northern Maine; and be it further

Reporting date established. Resolved: That the board of trustees shall report its findings, including proposed location of the program, to the Legislature by February 1, 1990.

See title page for effective date.

CHAPTER 43

H.P. 1237 - L.D. 1728

Resolve, Regarding the Release of Certain Ballots to the Municipal Officers of the Town of Jay

Sec. 1. Release of ballots authorized. Resolved: That, notwithstanding any statutes or laws to the contrary, the town clerk on the day scheduled for inspection shall release to the municipal officers in the Town of Jay the ballots used and unused at the town election held on March 20, 1989, for the purpose of determining the source of a discrepancy in the number of votes counted and the number of voters who cast ballots; and be it further

Sec. 2. Supervision; testing. Resolved: That, under the supervision of the clerk for the Town of Jay, a representative of the company that programmed the optical scan reader which was used at the election and a representative from the Office of the Secretary of State may, in the Town of Jay, perform tests on the scanner using the released ballots, to determine whether the discrepancy was caused by a programming error; and be it further

Sec. 3. Ballots returned. Resolved: That, immediately following the inspection provided for by this resolve, the municipal officers to whom the ballots were released

CHAPTER 44

H.P. 1279 - L.D. 1772

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1989

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

Whereas, Kennebec County has certain expenses and liabilities which must be met as they become due; and

Whereas, it is necessary that the taxes for the year 1989 hereinafter mentioned be immediately assessed in order to provide the required revenue for the county; 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. Kennebec County; taxes apportioned. Resolved: That the following sum is granted as a tax on Kennebec County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized herein, and for other purposes of law, for the calendar year 1989:

1989 TAX

\$3,028,412

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums, based on the county budget filed in the office of the Secretary of State, are authorized as General Fund expenditures by the county during the calendar year 1989, in the specific total amounts of expenditures for personal services, contractual services, commodities and capital expenditures for each account in the county budget:

APPROPRIATION ACCOUNT NUMBER	APPROPRIATIONS
1005 - Superior Court	
Contractual Services	\$ 82,125
1010 - Emergency Management Agency	
Personal Services	23,555
Contractual Services	4,880
Commodities	1,950