

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

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ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

11. Annual report. Report annually by March 1st to the joint standing committee of the Legislature having jurisdiction over agricultural matters on the activities of the board. This report must include a financial statement for the board, a status report on rulemaking by the board and a summary of cases of cruelty to animals investigated by the board.

Sec. 4. Membership terms. Any member serving on the Animal Welfare Board on the effective date of this Act shall continue to serve until the expiration of the term for which that member was appointed.

Sec. 5. Allocation. The following funds are allocated from Other Special Revenue for the fiscal years ending June 30, 1992 and June 30, 1993 to carry out the purposes of this Act.

	1991-92	1992-93
ANIMAL WELFARE BOARD		
Animal Welfare - Dog License		
Personal Services	\$385	\$385
All Other	854	854
Provides funds to cover per diem and travel costs for one additional board member.		
ANIMAL WELFARE BOARD		
TOTAL	\$1,239	\$1,239

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

Effective June 12, 1991.

CHAPTER 268

H.P. 690 - L.D. 989

An Act Concerning the Lease or Lease-purchase of School Bus Garage and Maintenance Facilities and School Administrative Office Space

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

Sec. 1. 20-A MRSA §15603, sub-§6-A is enacted to read:

6-A. Bus garage and maintenance facilities. "Bus garage and maintenance facilities" means land and buildings used primarily for storage, maintenance or repair of school buses.

Sec. 2. 20-A MRSA §15603, sub-§8, ¶E, as enacted by PL 1989, c. 466, §2, is amended to read:

E. Purchase or cost of construction of portable, temporary classroom space as approved by the commissioner beginning January 1, 1988. For the purposes of this section, "portable, temporary classroom space" means a project consisting of one or more mobile or modular buildings that are at least partially constructed off site and are designed to be moved to other sites with a minimum of disassembly and reassembly. "Portable, temporary classroom space" includes, but is not limited to, space for regular classrooms, small group instruction, libraries, clinics and guidance and administrative office space, including principal and superintendent offices. The amount includable for determining the subsidy for a school administrative unit for the purchase or construction of portable temporary classroom space shall may not exceed the amount that would have been paid for lease of a comparable classroom. The department shall adopt rules for approving the purchase, construction or lease-purchase of portable temporary classroom space, and for determining the amount includable for subsidy purposes. Approved costs shall be are those for the year prior to the year of allocation.

Sec. 3. 20-A MRSA §15603, sub-§29, as enacted by PL 1983, c. 859, Pt. G, §§2 and 4, is amended to read:

29. Transportation operating costs. "Transportation operating costs," for subsidy purposes, means all costs incurred in the transportation of pupils in kindergarten to grade 12, including lease costs for bus garage and maintenance facilities and lease-purchase costs that the school administrative unit may apply to the purchase of bus garage and maintenance facilities, when the leases and lease-purchase agreements have been approved by the commissioner, but excluding the costs of bus purchases. The amount includable for determining the subsidy for a school administrative unit for lease-purchase of bus garage and maintenance facilities may not exceed the amount for the lease of a comparable facility.

Sec. 4. 20-A MRSA §15621, as enacted by PL 1989, c. 414, §26, is amended to read:

§15621. Rulemaking

The commissioner may adopt rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375; to implement this chapter. On or before March 1, 1992, the commissioner shall adopt rules for approving the lease-purchase of bus garage and maintenance facilities as defined in section 15603, subsection 6-A and for determining the amount includable for subsidy purposes.

Sec. 5. 20-A MRSA §15901, sub-§4, as amended by PL 1989, c. 466, §5, is further amended to read:

4. School construction project. "School construction project" means:

- A. On-site additions to existing schools;
- B. New schools;
- C. The cost of land acquired in conjunction with projects otherwise defined by this subsection;
- D. The building of or acquisition of other facilities related to the operation of school administrative units;
- E. The complete restoration of existing school buildings in lieu of replacement when in the judgment of the commissioner the action is in the best interest of the State and local unit; and
- F. Off-site construction may only be included within the meaning of this term if, in the judgment of the commissioner, it is economically in the best interests of the State or there is no other practical way to complete a project.

“School construction project” does not mean the purchase, lease-purchase or construction of portable temporary classroom space, as defined in section 15603, subsection 19-A or the lease-purchase of bus garage and maintenance facilities, as defined in section 15603, subsection 6-A.

Sec. 6. 20-A MRSA §15901, sub-§4-A, as amended by PL 1989, c. 466, §6, is further amended to read:

4-A. Small scale school construction project. “Small scale school construction project” means a project ~~which~~ that will not be eligible for state subsidy and is limited to:

- A. New buildings not exceeding 600 square feet in gross area to be utilized solely for storage or custodial work, or both; or
- B. On-site additions to existing school buildings not exceeding 600 square feet in gross area.

“Small scale school construction project” does not mean the purchase, lease-purchase or construction of portable temporary classroom space, as defined in section 15603, subsection 19-A or the lease-purchase of bus garage and maintenance facilities, as defined in section 15603, subsection 6-A.

See title page for effective date.

CHAPTER 269

H.P. 565 - L.D. 808

An Act to Provide Information to Persons Voting on Bonded Indebtedness Proposals

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

Sec. 1. 30-A MRSA §937 is enacted to read:

§937. Financial statements required

The treasurer of the county shall prepare a signed statement to accompany any question submitted to the electors for ratification of a revenue-producing or revenue-refunding bond issue. The statement must set forth:

1. Total indebtedness. The total amount of bonds of the county outstanding and unpaid, the total amount of bonds of the county authorized and unissued and the total amount of the bonds of the county contemplated to be issued if the enactment submitted to the electors is ratified;

2. Costs. An estimate and explanation of costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued, the total cost of principal and interest to be paid at maturity and any other substantive information relating to the debt of the county as the treasurer may determine; and

3. Validity. A declaration that the validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimate made pursuant to subsection 2. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Sec. 2. 30-A MRSA §5404, sub-§1-A is enacted to read:

1-A. Financial statements required. The treasurer of the municipality shall prepare a signed statement to accompany any question submitted to the electors for ratification of a revenue-producing or revenue-refunding bond issue. The statement must set forth:

A. The total amount of bonds of the municipality outstanding and unpaid, the total amount of bonds of the municipality authorized and unissued and the total amount of bonds of the municipality contemplated to be issued if the enactment submitted to the electors is ratified;

B. An estimate and explanation of costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued, the total cost of principal and interest to be paid at maturity and any other substantive information relating to the debt of the municipality as the treasurer may deem appropriate; and

C. A declaration that the validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimate made pursuant to paragraph B. If the actual amount of the total debt service for the bond issue varies from the esti-