

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

AS PASSED AT THE
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ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

- 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-

mate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

See title page for effective date.

CHAPTER 270

H.P. 548 - L.D. 785

An Act to Clarify the Laws Relating to the Election or Appointment of Assessors

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

Whereas, municipalities are currently facing extreme hardships because of the present process of replacing assessors; and

Whereas, municipalities in these financially difficult times incur extra expense as a result of the present process of replacing assessors; 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. 30-A MRSA §2526, sub-§5, ¶C, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

C. When a town has not elected a full board of assessors, the selectmen shall serve as assessors as provided in Title 36, section 703. A selectman who is an assessor pursuant to this paragraph and Title 36, section 703 may resign the position of assessor without resigning the office of selectman. The position of assessor must then be filled by appointment pursuant to section 2602, subsection 2.

Sec. 2. 30-A MRSA §2526, sub-§5, ¶G is enacted to read:

G. Notwithstanding any other law when a vacancy occurs on an elected board of assessors, the municipal officers shall fill that vacancy as provided in section 2602, subsection 2.

Sec. 3. 30-A MRSA §2602, sub-§§2 and 3, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, are further amended to read:

2. Vacancy in office other than selectman or school committee. When there is a vacancy in a town office other than that of selectman, ~~assessor~~ or school committee, the selectmen may appoint a qualified person to fill the vacancy.

3. Vacancy in office of selectman. When there is a vacancy in the office of selectman ~~or assessor~~, the selectmen may call a town meeting to elect a qualified person to fill the vacancy.

Sec. 4. 36 MRSA §703, as amended by PL 1973, c. 620, §14, is further amended to read:

§703. Selectmen to act as assessors

If any municipality does not choose assessors and is not a part of a primary assessing area, the selectmen ~~shall~~ be ~~are~~ the assessors, and each of them ~~shall~~ must be sworn as an assessor. A selectman who is an assessor pursuant to this paragraph may resign the position of assessor without resigning the office of selectman. The position of assessor must then be filled by appointment pursuant to Title 30-A, section 2602, subsection 2.

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

Effective June 14, 1991.

CHAPTER 271

H.P. 538 - L.D. 775

An Act to Improve the Disbursement of Wages to Municipal Employees

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

30-A MRSA §5603, sub-§2, ¶A, as affected by PL 1989, c. 104, Pt. C, §§8 and 10, is amended to read:

A. Disburse money only on the authority of a warrant drawn for the purpose by the municipal officers;

(1) The municipal officers may adopt a written policy to permit the disbursement of employees wages and benefits when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers. No disbursements other than wages and benefits may be made until a majority of the municipal officers have signed the disbursement warrant;

See title page for effective date.