

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

B. The director or deputy director of the Maine State Housing Authority;

C. The Commissioner of Finance or the State Budget Officer; and

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

Effective June 24, 1991.

CHAPTER 512

S.P. 660 - L.D. 1736

An Act to Authorize Municipal Guarantees of Council of Government Obligations

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

Whereas, certain municipalities in the State are willing to lend financial support to councils of government by guaranteeing loans for them; and

Whereas, there is some question as to whether such a guarantee may be made under the State's existing law; and

Whereas, the councils of government provide important services to the State's municipalities; and

Whereas, it is in the best interests of the State and its municipalities to support the councils of government; 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:

30-A MRSA §2316, sub-§5 is enacted to read:

5. Guarantees. Notwithstanding any law, charter, ordinance or limitation to the contrary, any one or more member municipalities of the Greater Portland Council of Governments may guarantee notes or other indebtedness or obligations of the Greater Portland Council of Governments.

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

Effective June 24, 1991.

CHAPTER 513

H.P. 1193 - L.D. 1746

An Act to Establish a Budget Process for Sagadahoc County

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

Whereas, the adjournment date of the First Regular Session of the 115th Legislature is uncertain; and

Whereas, the notification to county municipal officers to caucus to elect the budget advisory committee membership must be made before September 15th; 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:

30-A MRSA c. 3, sub-c. I, art. 9 is enacted to read:

ARTICLE 9

SAGADAHOC COUNTY BUDGET ADVISORY COMMITTEE

§881. Budget; appropriations; approval

Notwithstanding sections 2, 701 and 702, in Sagadahoc County the county commissioners may appropriate money according to a budget that must be approved by a majority of the county commissioners.

§882. Interim budget

If the budget is not approved before the start of a fiscal year, until a budget is finally adopted, the county shall operate on an interim budget that may not exceed 80% of the previous year's budget.

§883. Advisory committee

There is established a Sagadahoc County Budget Advisory Committee as provided in this section.

1. Budget advisory committee membership. The municipal officers from each county commissioner district shall choose the budget advisory committee members by the following procedure.

A. The budget advisory committee consists of 9 members: two municipal officers from each of the 3

county commissioner districts and one representative of the general public from each of the 3 county commissioner districts. Budget advisory committee members serve 3-year terms, except for the initial members whose terms are provided in subsection 2, paragraph B. If a budget advisory committee member who is elected as a municipal officer ceases to be a municipal officer during the term of membership, that committee member shall vacate membership.

(1) If a budget advisory committee member who is elected as a municipal officer vacates, resigns or is unable to complete the term of office to which that member was elected, the next district caucus shall elect a municipal officer to serve for the remainder of the unexpired term.

(2) If a budget advisory committee member who is a representative of the general public resigns or is unable to complete the term of office to which that member was elected, the next district caucus shall elect a representative of the general public to serve for the remainder of the unexpired term.

B. The budget advisory committee shall select annually one of its members to chair the committee.

2. Election. The election of the budget advisory committee members is as follows:

A. Before September 15th of every year, the county commissioners shall notify all municipal officers in the county to caucus by county commissioner districts at a specified date, time and place for the purpose of electing the membership of the county budget advisory committee. Whenever a public member of the budget advisory committee will be elected, the county commissioners must issue a public notice of that fact that includes the date, time and place of the caucus. The county commissioner shall serve as non-voting moderator for that commissioner's district caucus. Nominations must be received from the floor. The nominee receiving the most votes is approved as a budget advisory committee member and serves a term of 3 years, except as provided in paragraph B.

B. In 1991, each caucus shall elect 3 members whose terms are as follows.

(1) One of the members who is a municipal officer shall serve an initial term of one year.

(2) One of the members who is a municipal officer shall serve an initial term of 2 years.

(3) The member who is a representative of the general public shall serve an initial term of 3 years.

§884. Budget estimate; submission to advisory committee

The Sagadahoc County commissioners shall submit a budget estimate to the advisory committee no later than October 1st for the coming year. The advisory committee shall review the budget estimate, hold a public hearing on the budget estimate and make recommendations to the commissioners before November 15th. The county commissioners shall act on the budget in a timely fashion and, in any event, not later than December 15th of the budget year.

§885. Final budget estimates; filing

A copy of the final budget estimates must be filed, on forms approved by the Department of Audit, with the State Auditor, who shall retain them for 3 years.

§886. Repeal

This article is repealed on September 1, 1994.

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

Effective June 24, 1991.

CHAPTER 514

H.P. 1344 - L.D. 1941

An Act to Remove Certain Investment Restrictions Concerning Namibia

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

Sec. 1. 5 MRSA §1951, as amended by PL 1987, c. 769, Pt. A, §13, is further amended to read:

§1951. Republic of South Africa

After July 1, 1992, no state funds, including trust funds of the State and funds created pursuant to former chapter 101 or Part 20, may be:

1. **Banks and financial institutions.** Invested or remain invested or be deposited or remain deposited in any bank or financial institution which directly or through its subsidiaries, affiliates or parent has outstanding loans or existing lines of credit to:

A. The Republic of South Africa or its instrumentalities; or

B. ~~Namibia or its instrumentalities; or~~

2. **Corporations; companies.** Invested or remain invested in the stocks, securities or other obligations of any