

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
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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

CHAPTER 574

H.P. 612 - L.D. 872

An Act to Amend the Maine Housing Authorities Act and the Affordable Housing Partnership Act of 1989

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

Sec. 1. 30-A MRSA §4702, sub-§10, ¶A, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

A. An interest-bearing obligation secured by a mortgage constituting a ~~first~~ lien on single-family or multi-unit residential housing, including any mortgage loan made for the purpose of acquiring, developing, constructing or reconstructing single-family or multi-unit residential housing;

Sec. 2. 30-A MRSA §4723, sub-§2, ¶E, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

E. The director is a full-time employee of the authority, but may receive fees or honoraria for services provided to others not in conflict with full-time duties and not performed during time for which the director is receiving compensation from the Maine State Housing Authority. In addition to any authorized compensation, the director is entitled to any employee benefits that are available to other employees of the Maine State Housing Authority, including, but not limited to, authority contributions to any retirement plan, insurance plan, deferred compensation plan or other similar benefits. Each commissioner and advisory board member ~~shall be compensated~~ is entitled to compensation according to the provisions of Title 5, chapter 379 except notwithstanding Title 5, section 12003-A, subsection 4, authorized expenses incurred by a state employee, or designee of that state employee, serving in an ex officio capacity as a commissioner must be paid from the budget of the authority.

Sec. 3. 30-A MRSA §4907, sub-§1, as amended by PL 1989, c.914, §6, is further amended to read:

1. Limitations on amount of outstanding principal. The Maine State Housing Authority may not at any time have an aggregate principal amount outstanding, in excess of ~~\$985,000,000~~ \$1,050,000,000 of mortgage purchase bonds secured by the Housing Reserve Fund or a Capital Reserve Fund to which section 4906, subsection 3, paragraph A applies. Mortgage purchase bonds of the Maine State Housing Authority secured by capital reserve funds to which section 4906, subsection 3, paragraph A does not apply, bond or mortgage insur-

ance, direct or indirect contract with the United States, purchase or repurchase agreement of guaranty with a banking or other financial organization or other credit arrangements securing the bonds may be issued up to \$100,000,000 per calendar year in an aggregate principal amount not to exceed \$300,000,000.

Sec. 4. 30-A MRSA §5032, as enacted by PL 1989, c. 601, Pt. B, §4, is amended to read:

§5032. Use of money

Money provided to municipalities under this subchapter ~~shall~~ must be in the form of low-interest loans. Money provided to nonprofit housing corporations may be in the form of grants, low-interest loans or no-interest loans. Funds available under this subchapter ~~shall~~ must be used to acquire or preserve land for affordable housing for the homeless and ~~lower~~ lower-income and moderate-income households including mortgageable predevelopment costs. Funds may be used to make minor capital improvements to land acquired under this chapter to facilitate its use for housing.

Sec. 5. 30-A MRSA §5035, sub-§3, as enacted by PL 1989, c. 601, Pt. B, §4, is amended to read:

3. Application of fund. The state authority shall apply money in the fund to finance the acquisition of land or interests in land, including mortgageable predevelopment costs, in accordance with this chapter and chapter 201, subchapters III-A and XI, and to finance minor capital improvements on acquired lands.

See title page for effective date.

CHAPTER 575

H.P. 216 - L.D. 307

An Act to Amend the School Bus Inspection Laws

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

Sec. 1. 29 MRSA §2017, as amended by PL 1979, c. 691, §22, is further amended to read:

§2017. School bus inspection

Notwithstanding chapter 22, every school bus as defined in section 2011 ~~shall~~ must be submitted to an official inspection station designated by the Chief of the State Police as a school bus inspection station; during the months of August and February of each year for the purpose of complying with this chapter concerning adjustment and sufficiency of the required equipment. In addition, twice during the school year, between September 1st and November 30th and between March 1st and

May 31st at a time and place convenient to the appropriate school authorities or an owner, each school bus, as defined in this Title, ~~shall must~~ be submitted to an inspection conducted by the State Police. School buses requiring inspection during any month other than August and February, ~~which that~~ satisfy the inspection requirements, ~~shall must~~ be issued ~~the a~~ school bus inspection sticker ~~which will expire that expires~~ the following August or February, whichever is earlier. The operator of any official school bus inspection station, or ~~his~~ the operator's agent, shall conduct the inspection of school buses presented ~~to him~~ for that purpose in accordance with chapter 22 and with the rules ~~and regulations promulgated thereunder, for which he~~ adopted under that chapter. The operator shall receive a fee of \$4-\$8 for each school bus inspected, this sum not to include labor or material used in correction of faults in such school buses.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
EDUCATION, DEPARTMENT OF		
Reimbursement for State Mandates		
All Other	\$6,000	\$6,000
Provides funds for the increased costs of school bus inspections.		

See title page for effective date.

CHAPTER 576

H.P. 577 - L.D. 828

An Act to Clarify the Definition of Public Employer under the Municipal Public Employees Labor Relations Laws

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

26 MRSA §962, sub-§7, as amended by PL 1989, c. 499, §12, is repealed and the following enacted in its place:

7. Public employer. "Public employer" means:

A. Any officer, board, commission, council, committee or other persons or body acting on behalf of:

- (1) Any municipality or any subdivision of a municipality;**
- (2) Any school, water, sewer or other district;**

- (3) The Maine Turnpike Authority;**
- (4) The Child Development Services System;**
or
- (5) Any county or subdivision of a county; or**

B. Any employer not covered by any other state or federal collective bargaining law that is:

- (1) Established directly by the State or a political subdivision to constitute a department or administrative office of government; or**
- (2) Administered by individuals responsible to public officials or to the general electorate.**

If any public employer, as defined in this or any other section, controls the operations of another employer to the extent that the public employer deprives that other employer of sufficient control over its own employees to enable it to bargain with a labor organization representing those employees, the public employer must be treated as the employer of those employees for the purposes of this chapter.

See title page for effective date.

CHAPTER 577

S.P. 226 - L.D. 580

An Act to Require the State to Pay Municipal Permit Fees for New Construction or Improvements to State-owned Buildings

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

5 MRSA §1742-B, as amended by PL 1987, c. 91, is further amended to read:

§1742-B. Municipal building ordinances

If a municipality files with the Bureau of Public Improvements a notice of intent intends to review and issue building permits on state construction projects and public improvements, ~~such~~ the municipality must file a notice of intent with the Department of Administration, Bureau of Public Improvements. Once the required notice is filed, the projects and improvements to state-owned or leased buildings shall must comply with municipal ordinances governing the construction and alteration of buildings, provided that the municipal building code standards are as stringent as, or more stringent than, the code for state buildings. Prior to requesting bids, the bureau shall obtain or it shall require the project designer to obtain municipal approval of the project plans and specifications. Contractors and subcontractors shall