

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

FIRST REGULAR SESSION

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ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

PUBLIC SAFETY, DEPARTMENT OF

Emergency Medical Services

Positions - Legislative Count	(4.0)	(3.0)
Personal Services	\$177,039	\$154,668
All Other	32,741	21,494

Provides for the allocation of Federal Block Grant funds to the Department of Public Safety from the Department of Human Services to effect the organizational transfer of Maine Emergency Medical Services.

DEPARTMENT OF PUBLIC SAFETY		
TOTAL	\$209,780	\$176,162

TOTAL ALLOCATIONS	\$-0-	\$-0-
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See title page for effective date.

CHAPTER 589

H.P. 1301 - L.D. 1882

An Act Concerning Tax Anticipation Notes for Fiscal Year 1991-92 and the Maine Rainy Day Fund

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

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain provisions of this legislation must be in effect prior to July 1, 1991; 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. 5 MRSA §150, 2nd ¶, as amended by PL 1991, c. 5, §1, is further amended to read:

The Treasurer of State, with the approval of the Governor may negotiate a temporary loan or loans in anticipation of taxes levied for that fiscal year, but not exceeding a total of that amount of taxes estimated by the Treasurer of State to be collected in the fiscal year in which such temporary loan or loans, or renewal thereof, is made, provided that such temporary loans or renewals thereof ~~shall~~ may not exceed any limitation set forth in the Constitution of Maine, Article IX, Section 14. Such loans may be renewed from time to time as the Treas-

urer of State, with the approval of the Governor, may determine, provided that each loan or renewal thereof ~~shall~~ must be retired not later than the close of the fiscal year in which such loan was originally made and for which ~~was~~ were levied the taxes in anticipation of the collection of which such loan was originally made; and that each such loan or renewal thereof ~~shall~~ must comply with the provisions of this section and the Constitution of Maine, Article IX, Section 14. The Treasurer of State is directed to pay such loan or loans in anticipation of taxes during such year and there is appropriated for any year in which the Treasurer of State and the Governor deem it necessary to borrow in anticipation of taxes the sum of \$30,000,000; except that for fiscal year ~~1990-91~~ 1991-92, the sum may not exceed ~~\$125,000,000~~ \$150,000,000.

Sec. 2. 5 MRSA §1513, sub-§1, as enacted by PL 1985, c. 488, is amended to read:

1. Maine Rainy Day Fund. The State Controller shall at the close of each fiscal year transfer from the unappropriated surplus of the General Fund to the Maine Rainy Day Fund ~~an amount not to exceed~~ 1/2 the excess of total General Fund revenues received over accepted estimates in that fiscal year. No accepted revenue estimate shall may be increased after adjournment of each First Regular Session of the Legislature except as provided. For the first year of the biennium, revenue estimates for the 2nd year of the biennium may be adjusted once during the Second Regular Session of the Legislature. Accepted revenue estimates may be increased for other fiscal periods only if an amount not to exceed 1/2 of the increase is appropriated to the Rainy Day Fund at the same time. The fund shall may not exceed \$25,000,000 which shall 4% of the total General Fund revenues received in the immediately preceding fiscal year and may not lapse, but remain in a continuing carrying account to carry out the purposes of this Act section. No reduction in the fund is necessary in the event the total General Fund revenues received in the immediately preceding fiscal year are less than the total General Fund revenues received in the fiscal year 2 years previous and if the fund is at its 4% limit.

Sec. 3. Tax Anticipation Note Debt Service Account established. The Tax Anticipation Note Debt Service Account is established for the purpose of meeting the State's obligation, including issuance costs, as a result of any tax anticipation notes that may be issued to meet expenditures already incurred by State Government during fiscal year 1991-92. Any earnings in excess of those needed to service this debt must be transferred to the General Fund no later than June 30, 1992.

Sec. 4. Treasurer of State authorization. The Treasurer of State is authorized to set aside sufficient General Fund revenues in fiscal year 1991-92 in the event there are insufficient resources in the debt service account established in section 3 of this Act to meet principal, interest and related payments. The Treasurer of State shall report to the Joint Standing Committee on

Appropriations and Financial Affairs the amount, if any, of General Fund revenue set aside.

Sec. 5. Effective date. Section 1 of this Act takes effect July 1, 1991.

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

Effective July 14, 1991, unless otherwise indicated.

CHAPTER 590

S.P. 765 - L.D. 1956

An Act to Allow Nonprofit Organizations to Use Proceeds from Beano or Bingo for Limited Purposes

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

17 MRSA §326, as enacted by PL 1989, c. 825, §2, is repealed and the following enacted in its place:

§326. Proceeds

1. Payment of proceeds. An organization licensed to operate beano, bingo or lucky seven games may use the proceeds or part of the proceeds to pay salaries, wages or remuneration to any person directly and essentially involved in operating the beano, bingo or lucky seven game. An organization that chooses to make such payments must file with the Chief of the State Police, at least quarterly, a disposition of funds form prescribed by the Chief of the State Police detailing all payments made pursuant to this section. Every statement on the form must be made under oath by an officer of the organization but notarization is not required.

2. Rules. The rules adopted pursuant to section 317 must contain standards governing payments made under this section and must limit payments to reasonable compensation, taking into account the nature of the services rendered, comparable wage rates, the size of the organization and other revenues, the size of the games and the revenue generated by the games. Payments under this section may not exceed 20% of the revenue generated by the games. The Chief of the State Police may disallow any excessive payment of proceeds, may suspend an organization's license for excessive payment of proceeds and may condition the restoration of an organization's license on the repayment of an excessive payment of proceeds to the organization.

See title page for effective date.
