

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

ate money, according to a budget that must be approved by a majority of the county commissioners.

§900-A. Interim budget

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

§900-B. Advisory committee

There is established the Washington County Budget Advisory Committee as provided in this section.

1. Municipal officers; election; term. The municipal officers from each county commissioner district shall choose the budget advisory committee members by the following procedure.

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 at least one municipal officer from each district as a member of the budget advisory committee; except that, in 1992, at least 3 municipal officers must be selected from each district unless the municipal officers of a district decide that another person from that district would be better qualified. The county commissioner shall serve as nonvoting moderator for that district caucus. Nominations must be received from the floor. The nominee receiving the most votes is approved as a budget advisory committee member except that, in 1992, each caucus shall elect 3 members. The names of those elected by the caucus must be recorded and forwarded to the county commissioners.

B. Budget advisory committee members serve 3-year terms except that, in 1992, one member from each district must be elected for a one-year term, one member for a 2-year term and one member for a 3-year term. If a budget advisory committee member ceases to be a municipal officer during the term of membership, that committee member vacates membership and the next district caucus shall elect a qualified municipal officer to serve for the remainder of the unexpired term.

2. Legislative member. The Washington County legislative delegation shall annually select one member of the delegation who resides in Washington County to serve on the budget advisory committee.

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

§900-C. Public hearing

The Washington County commissioners shall hold one or more public hearings on the budget estimate before October 1st and an informational meeting, in conjunction with the budget advisory committee, with the Washington County legislative delegation before December 1st.

§900-D. Budget estimate; submission to advisory committee

The Washington County commissioners shall submit a budget estimate to the budget advisory committee no later than October 1st for the coming year. The budget advisory committee shall review 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.

§900-E. 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.

Sec. 2. Costs not funded. Notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, any requirements of this Act that result in additional costs to local or county government are not state mandates subject to that section and the State is not required to fund those costs.

See title page for effective date.

CHAPTER 778

H.P. 1728 - L.D. 2419

An Act Authorizing Aroostook County to Raise Funds for Renovations to the Aroostook County Jail

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

Whereas, there is an urgent need to construct and install a new master control panel at the Aroostook County Jail; and

Whereas, Aroostook County does not have money specifically appropriated to this year's budget to pay for these necessary improvements; and

Whereas, it is imperative that these renovations begin as soon as reasonably possible; 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 §934, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

§934. Loans

The county commissioners may obtain loans of money for the use of their county and cause notes or obligations, with coupons for lawful interest, to be issued for payment of the loans. These loans may not exceed \$10,000, except in Franklin County and Aroostook County as provided in ~~section~~ sections 935 and 935-A, without first obtaining the consent of the county, substantially as provided in section 122.

Sec. 2. 30-A MRSA §935-A is enacted to read:

§935-A. Aroostook County loans

The county commissioners of Aroostook County may obtain loans of money for the use of Aroostook County, not to exceed \$95,000, and cause notes or obligations, with coupons for lawful interest, to be issued for payment of the loans. Any loans of money in excess of \$10,000 may be incurred only for the purpose of building, rebuilding, altering or otherwise improving county-owned real estate and personal property in that real estate.

Sec. 3. Aroostook County. Notwithstanding the Maine Revised Statutes, Title 30-A, sections 922 and 924, the commissioners of Aroostook County may make a one-time transfer of accrued interest to the county's contingent fund in an amount not to exceed \$85,000. This interest was earned on \$3,000,000 in bonds issued to finance the renovations and additions to the Aroostook County Jail. The funds transferred must be used for the construction and installation of a new jail master control panel.

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

Effective March 30, 1992.

CHAPTER 779

S.P. 696 - L.D. 1861

An Act to Amend the Animal Welfare Laws

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

Whereas, the Animal Welfare Board has many powers and duties; and

Whereas, effective use of these powers and performance of these duties are essential to animal welfare in this State; and

Whereas, full-time humane agents are essential to enforcement of animal welfare laws; 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 §12004-G, sub-§3, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. 2. 5 MRSA §12004-I, sub-§§2-B and 2-C are enacted to read:

2-B.	<u>Animal Wel-</u>	<u>Expenses</u>	<u>7 MRSA</u>
<u>Agriculture</u>	<u>fare Board</u>	<u>Only</u>	<u>§3903-A</u>

2-C.	<u>Animal Wel-</u>	<u>Expenses</u>	<u>7 MRSA</u>
<u>Agriculture</u>	<u>fare Advisory</u>	<u>Only</u>	<u>§3906-C</u>
	<u>Committee</u>		

Sec. 3. 7 MRSA §3903, as amended by PL 1991, c. 267, §1, is repealed.

Sec. 4. 7 MRSA §3903-A is enacted to read:

§3903-A. Animal Welfare Board; membership

The Animal Welfare Board, as established by Title 5, section 12004-I, subsection 2-B, is an independent board. The department shall provide office space for the board.

1. Designated members. The board consists of 5 members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over agricultural matters and confirmation by the Legislature. The membership must consist of:

A. Two members representing humane societies. In making the appointments, the Governor shall consider nominations made by humane societies incorporated under the law, except that not more than one member may represent a particular society;