

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

TOTAL DEDUCTIONS	\$1,010,000
TAX ASSESSMENT	\$10,648,927

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

Effective March 26, 1992.

CHAPTER 92

H.P. 1514 - L.D. 2126

An Act to Amend the Subdivision Laws within the Jurisdiction of the Maine Land Use Regulation Commission

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

Sec. 1. Transitional clause for certain subdivisions. If a complete application is filed with the Maine Land Use Regulation Commission pursuant to chapter 16 of the rules of the commission by July 1, 1993, lots are deemed to meet the applicability provisions of section 4 of those rules when those lots:

1. Contain at least 40 acres but not more than 100 acres;
2. Are shown on a plan of lots filed with the applicable registry of deeds and the State Tax Assessor between April 20, 1988 and September 30, 1989; and
3. Are not located within 1320 feet of the normal high water line of any great pond or river or within 250 feet of the upland edge of a coastal or freshwater wetland as those terms are defined in the Maine Revised Statutes, Title 38, section 436-A.

Sale, lease or other conveyance of any lot that is shown on a plan that meets the requirements of subsection 2, but that does not meet the requirements of subsection 1 or 3, is subject to subdivision review and approval by the Maine Land Use Regulation Commission under chapter 10 of its rules.

See title page for effective date.

CHAPTER 93

H.P. 1619 - L.D. 2280

An Act to Authorize a Bond Issue of \$300,000 to Expand the Sagadahoc County Courthouse to Include Detention Facilities

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

Whereas, Sagadahoc County has no jail facility; and

Whereas, the need exists for a detention facility at the Sagadahoc County courthouse; and

Whereas, the county commissioners must begin the necessary preparation of the ballot to be presented to the voters of Sagadahoc County; 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. To raise money for construction of detention facility at the Sagadahoc County courthouse. The county commissioners of Sagadahoc County are authorized to raise and expend a sum not to exceed \$300,000 for construction of a detention facility located in Sagadahoc County.

Sec. 2. Aid from other sources. The county commissioners of Sagadahoc County are authorized to borrow any portion of the sums authorized by this Act from or through any agency or department of the State and the Federal Government. The county commissioners are authorized to receive grants of money and other assistance from or through any agency or department of the State and the Federal Government for any of the purposes authorized in this Act.

Sec. 3. Bonds. To provide funds for the county jail facility, the treasurer of Sagadahoc County, with the approval of the county commissioners, may borrow upon the full faith and credit of the county such sums as necessary, not exceeding in the aggregate \$300,000, and may issue bonds for those sums that must bear on their face the words "Sagadahoc County Capital Improvement Bonds Act of 1992." Each authorized issue is payable in such annual installments, beginning not more than 2 years from the date of authorization and not earlier than the year 1993, as will extinguish each loan in not more than 20 years from its date. The bonds must be signed by the treasurer of the county and countersigned by the majority of the county commissioners. The county may sell the securities at public or private sale upon such terms and conditions as the county commissioners may determine proper but at not less than par and accrued interest.

Sec. 4. Temporary notes. The county treasurer, with the approval of the county commissioners,

may issue temporary notes of the county payable not more than one year from their dates in anticipation of the issue of bonds under this Act and may renew those notes, but the time within which the bonds become due and payable may not by reason of such temporary notes be extended beyond the term fixed by this Act. Any notes issued in anticipation of the bonds must be paid from the proceeds of the bonds.

Sec. 5. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes have not been issued within 5 years of the ratification of this Act, are deauthorized and may not be issued, provided that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. 6. Service fees. The county may negotiate with the municipality in which the county detention facility constructed with funds provided under this Act is located for the annual payment of reasonable service fees reflecting the cost of municipal services associated with the county detention facility.

Sec. 7. Referendum for ratification. This Act must be submitted to the legal voters of Sagadahoc County. The dates of the submission must be determined by the Sagadahoc County Board of Commissioners but may not be later than December 31, 1993. The Sagadahoc County commissioners are authorized to expend such funds as necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which they shall state the subject matter of this Act in the following question:

“Do you favor a \$300,000 bond issue for construction of a detention facility at the Sagadahoc County Courthouse?”

The ballot must also contain the following information determined by the county commissioners to be accurate as of the date when it is necessary to begin preparation of the ballot question:

1. A statement of the total debt service of the requested issue divided into principal and interest and indicating the interest rate and period of the bond; and
2. A statement of the county's bonded indebtedness prior to the requested bond issue.

The voters shall indicate by a cross or a check mark placed against the words “Yes” or “No” their opinion of the question.

This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the elec-

tion provided the total number of votes cast for and against the acceptance of this Act equals or exceeds 30% of the total votes for all candidates for Governor cast in the next previous gubernatorial election in the county. If at the first election the total number of votes cast for or against acceptance of this Act is less than 30% of the total votes for all candidates for Governor cast in the county in the next previous gubernatorial election, the county commissioners may submit the question to voters not more than one other time within the time prescribed in this section.

The result of the elections must be declared by the Sagadahoc County commissioners and due certificate filed with the Secretary of State.

Sec. 8. 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.

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

Effective pending referendum.

CHAPTER 94

S.P. 811 - L.D. 2010

An Act to Study the Establishment of a Statewide Voter Registration File

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

Sec. 1. Study. The Secretary of State shall conduct a study to determine the costs, benefits and feasibility of establishing a central voter registry in the State. In conducting the study, the Secretary of State shall review steps taken by other states to develop voter registries, review the advantages and disadvantages of a central voter registry and analyze the costs of a central voter registry, including any potential costs or savings to municipalities. The Secretary of State shall seek the involvement of Legislators, municipal officials, public service organizations and other interested parties. The Secretary of State shall report findings and recommendations on the establishment of a central voter registry to the First Regular Session of the 116th Legislature by April 1, 1993. The study must be conducted within existing resources of the Secretary of State.

See title page for effective date.
