

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

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

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

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

the commission shall manage the consultant's work; and be it further

Sec. 7. Reimbursement. Resolved: That the members of the commission who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for days of attendance at commission meetings. All members of the commission who are not state employees may receive expenses, as defined in the Maine Revised Statutes, Title 5, section 12002, upon application to the Executive Director of the Legislative Council for those expenses; and be it further

Sec. 8. Funding. Resolved: That the Legislative Council may seek outside sources of funding to finance the study provided in this resolve. The Legislative Council may authorize the commission to develop funding proposals. The Executive Director of the Legislative Council shall review and approve any proposal prior to its submission to a funding source. Prior to approving a funding source, the Legislative Council shall examine whether accepting funds from this source will risk the appearance of or actual undue influence upon the study. If the Legislative Council determines that accepting funds from the source will cause this risk, the Legislative Council may not approve the funding source. The Legislative Council shall administer any outside funds acquired for the conduct of the study. Administration of these funds includes the authority for the Executive Director of the Legislative Council to approve or disapprove any contract for assistance to the study in accordance with guidelines adopted by the Legislative Council. Expenditures for the conduct of the study may not be incurred that have an impact on the General Fund. Expenditures may not be incurred relative to this study unless the funding from outside sources has been received by the Legislative Council; and be it further

Sec. 9. Allocation. Resolved: That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

1991-92

LEGISLATURE

Commission to Study the History, Status, Impact and Role of Independent Higher Education in Maine

Personal Services	\$2,145
All Other	23,690

Provides funds to the Commission to Study the History, Status, Impact and Role of Independent Higher Education in Maine for the per diem and expenses of

legislative members, expenses of other members, printing and consulting fees.

LEGISLATURE

TOTAL \$25,835

See title page for effective date.

CHAPTER 45

H.P. 1201 - L.D. 1757

Resolve, Concerning Reauthorization of the \$16,000,000 Bond Issue for Construction of Correctional Facilities

Sec. 1. Findings; expiration. Resolved: That the Legislature finds that the authorization for the \$16,000,000 bond issue approved by the electorate in November 1986 for construction of correctional facilities will expire in December 1991; and be it further

Sec. 2. Findings; reauthorization necessary. Resolved: That the Legislature finds that, unless the bond issue is reauthorized, the progress made in constructing correctional facilities will be seriously hindered; and be it further

Sec. 3. Reauthorization of bonds. Resolved: That it is the intent of the Legislature to reauthorize bonds not yet issued from the \$16,000,000 bond issue for construction of correctional facilities for an additional 2-year period from the effective date of this resolve; and be it further

Sec. 4. Appropriation. Resolved: That no additional appropriation is required to carry out the purposes of this resolve.

See title page for effective date.

CHAPTER 46

H.P. 1164 - L.D. 1705

Resolve, to Establish the Commission to Study the Feasibility of a Capital Cultural Center

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

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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

Sec. 1. Commission established. Resolved: That the Commission to Study the Feasibility of a Capital Cultural Center is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 10 members: two representatives of the University of Maine at Augusta appointed by the President of the University of Maine at Augusta; 2 municipal officers of Augusta of whom one must be the mayor and one must be a city council representative appointed by the mayor; 2 representatives of the public of whom one must be appointed by the Governor and one must be appointed jointly by the President of the Senate and the Speaker of the House of Representatives; 3 members of the Legislature, jointly approved by the President of the Senate and the Speaker of the House of Representatives; and one member of the Capitol Planning Commission appointed by the Governor; and be it further

Sec. 3. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. When the appointment of all members has been completed the Chair of the Legislative Council shall call and convene the first meeting of the commission no later than July 30, 1991. The commission shall select a chair from among its members; and be it further

Sec. 4. Duties. Resolved: That the commission shall study the feasibility of establishing a Capital Cultural Center. In conducting the study the commission shall examine the following issues:

1. Whether the need for a cultural center exists;
2. The appropriate location for a cultural center; and
3. The cost of establishing and maintaining a cultural center; and be it further

Sec. 5. Powers. Resolved: That in examining the issues in section 4 of this resolve, the commission may:

1. Meet at convenient times and places within Augusta;
2. Hold informational sessions for discussions with knowledgeable persons;

3. Conduct, summarize and analyze the results of a literature search;

4. Conduct, tabulate and analyze the results of a survey of the public or affected persons and groups;

5. Procure and analyze relevant data;

6. Conduct legal research and prepare opinions on legal questions within the scope of the study; and

7. Determine and summarize the legislative actions or governmental programs undertaken in other jurisdictions related to issues within the scope of the study; and be it further

Sec. 6. Assistance. Resolved: That the commission may request staffing assistance from the University of Maine at Augusta. The commission may also apply for any financial assistance required to perform its functions from the University of Maine at Augusta Foundation; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report to the Second Regular Session of the 115th Legislature no later than November 1, 1991; and be it further

Sec. 8. Expenditure of state funds. Resolved: That state funds may not be spent for construction of a Capital Cultural Center; and be it further

Sec. 9. Capital Cultural Center location. Resolved: That a Capital Cultural Center may not be constructed within the Capitol Area, as defined in the Maine Revised Statutes, Title 1, section 814.

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

Effective July 8, 1991.

CHAPTER 47

H.P. 1367 - L.D. 1953

Resolve, Authorizing the Commissioner of Corrections to Enter into an Agreement with the Town of Thomaston for the Maine State Prison's Share of Upgrading the Town of Thomaston Sewer System

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