

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

RESOLVES
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

Sec. 2. Membership. Resolved: That the Committee for Assistance to High-risk Students consists of the following members:

1. The Commissioner of Education or the commissioner's designee;

2. A local school board member appointed by the Governor from a list of nominees supplied by the Maine School Boards Association;

3. Two Maine school administrative unit superintendents appointed by the Governor from a list of nominees supplied by the Maine Superintendents Association;

4. One advocate for the homeless appointed by the Governor from a list of nominees supplied by the Maine Coalition for the Homeless;

5. One member of the Advisory Council to Maine Aid to Families with Dependent Children Coordinating Committee appointed by the Governor;

6. One elementary school teacher, one secondary school teacher and one support staff member appointed jointly by the President of the Senate and the Speaker of the House of Representatives from a list of nominees supplied by the Maine Teachers Association;

7. One school nurse appointed jointly by the President of the Senate and the Speaker of the House of Representatives from a list of nominees supplied by the Maine School Nurses Association; and

8. One school counselor appointed jointly by the President of the Senate and the Speaker of the House of Representatives from a list of nominees supplied by the Maine School Counselors Association; and be it further

Sec. 3. Report; funding proposals. Resolved: That on or before February 1, 1993, the Committee for Assistance to High-risk Students shall file a report with the joint standing committee of the Legislature having jurisdiction over education matters that describes the number of students in public schools, kindergarten to grade 12, who face a high risk of failure but do not qualify as special education students and require significantly more educational effort than the average student to enable them to meet the State's educational standards.

The report must include, at a minimum:

1. The criteria for identifying those students;
2. A means of measuring the cost of the additional educational effort required for those students; and
3. Proposed legislation to fund all or some of the additional costs required for those students with state funds beginning on July 1, 1993.

In preparing the report, the committee shall solicit information and commentary from each school administrative unit.

The funding mechanisms proposed by the committee must include at least one proposal that would reallocate existing or proposed state funding for education in a way that does not require an additional appropriation; and be it further

Sec. 4. Staff. Resolved: That organizations whose members serve on the Committee for Assistance to High-risk Students may provide staff support to the committee, including any clerical support and technical assistance the committee may need; and be it further

Sec. 5. Funding; compensation. Resolved: That interested persons and organizations may provide outside sources of funding to finance the activities of the Committee for Assistance to High-risk Students. The Department of Education shall administer any outside funds acquired for the conduct of the study. Expenditures may not be incurred that have an impact on the General Fund. Expenditures may not be incurred relative to this study unless the outside sources of funding have been received by the department; and be it further

Sec. 6. Costs not funded. Resolved: That, notwithstanding the Maine Revised Statutes, Title 30-A, section 5684, any requirements of this resolve that result in additional costs to local 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 64

H.P. 1742 - L.D. 2431

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1992

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

Whereas, Kennebec County has certain expenses and liabilities that must be met as they become due; and

Whereas, it is necessary that the taxes for the year 1992 mentioned be immediately assessed in order to provide the required revenue for the 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

Sec. 1. Kennebec County; taxes apportioned.

Resolved: That the following sum is granted as a tax on Kennebec County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized in this resolve, and for other purposes of law, for the calendar year 1992:

1992 TAX

\$4,442,325

; and be it further

Sec. 2. General Fund expenditures authorized.

Resolved: That the following sums, based on the county budget filed in the office of the Secretary of State, are authorized as General Fund expenditures by the county during the calendar year 1992, in the specific total amounts of expenditures for personal services, contractual services, commodities and capital expenditures for each account in the county budget:

APPROPRIATION APPROPRIATIONS
ACCOUNT NUMBER

1005 - Superior Court Contractual Services	\$20,600
1010 - Emergency Management Agency Personal Services Contractual Services Commodities	19,828 5,270 2,650
1015 - District Attorney Personal Services Contractual Services Commodities	158,677 50,500 7,000
1020 - County Commissioners Personal Services Contractual Services Commodities	48,484 8,900 1,450
1025 - County Treasurer Personal Services Contractual Services Commodities	31,677 5,370 2,050
1040 - County Court House Personal Services Contractual Services Commodities Capital Expenditures	54,217 66,660 29,000 4,000
1050 - Jail Personal Services Contractual Services	1,221,608 334,550

Commodities Capital Expenditures	173,000 675
1065 - Register of Deeds Personal Services Contractual Services Commodities	127,949 106,510 13,750
1070 - Register of Probate Personal Services Contractual Services Commodities	116,573 24,171 8,350
1075 - Sheriff Personal Services Contractual Services Commodities Capital Expenditures	546,952 113,042 29,350 82,697
1090 - Auditing Contractual Services	2,700
1095 - Debt Service Contractual Services: Tax Anticipation Notes Bond (Principal and Interest) Bond (Community Corrections) Legal Services	145,000 958,102 67,000 3,000
2025 - Employee Benefits Contractual Services: Health Insurance Unemployment Retirement Social Security Workers' Compensation	255,000 44,000 75,000 195,000 200,000
2040 - County Copier Contractual Services	1,500
2045 - Program Grants Contractual Services: Extension Services Soil and Water Mental Health Regional Health Senior Spectrum Homemakers Daycare Child Development YMCA	25,000 4,590 40,000 13,050 9,450 13,500 1,800 2,250 2,250
2050 - Insurance Contractual Services	131,626
2055 - Ambulance Contractual Services	3,500
2075 - Property Improvement Capital Expenditures	40,000

2090 - Miscellaneous	
Contractual Services:	
Association Dues	500
Contingency	<u>40,000</u>
TOTAL GENERAL FUND	\$5,689,328

; and be it further

Sec. 3. Summary. Resolved: That the figures appearing in this resolve represent the total amount of taxes and the total specific expenditures authorized for the calendar year 1992. The following is a summary of revenues and appropriations:

Total Appropriations	\$5,689,328
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Available Credits:

Estimated Revenue	\$562,753
Community	
Corrections	
- Jail	175,000
- Debt	67,000
- YMCA	2,250
Surplus Transfer	440,000

Total Available Credits	<u>\$1,247,003</u>
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Amount to be Raised by Taxation	\$4,442,325
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Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective April 3, 1992.

CHAPTER 65

H.P. 1752 - L.D. 2440

Resolve, to Extend Certain Meeting and Reporting Deadlines for Study Committees and Commissions

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

Whereas, Resolve 1991, chapter 46 established the Commission to Study the Feasibility of a Capital Cultural Center; and

Whereas, Resolve 1991, chapter 53 established the Commission to Study the Use of Professional Strikebreakers; and

Whereas, the deadlines contained in the resolves need to be amended to allow for proper planning for

and consideration of the proposals of the commissions; and

Whereas, unless this legislation is enacted as an emergency measure, the current deadlines would occur prior to the expiration of the 90-day period; 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. Resolve 1991, c. 46, amended. Resolved: That Resolve 1991, c. 46, §§3 and 7 are amended to read:

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~~ June 1, 1992. The commission shall select a chair from among its members; and be it further

Sec. 7. Report. Resolved: That the commission shall submit its report to the ~~Second First~~ Regular Session of the ~~115th~~ 116th Legislature no later than ~~November 1, 1991~~ November 1, 1992; and be it further

; and be it further

Sec. 2. Resolve 1991, c. 53, amended. Resolved: That Resolve 1991, c. 53, §5 is amended to read:

Sec. 5. Report. Resolved: That the commission shall submit its report, together with any necessary implementing legislation, to the ~~Second First~~ Regular Session of the ~~115th~~ 116th Legislature and to the Office of the Executive Director of the Legislative Council by ~~November 1, 1991~~ October 1, 1992; and be it further

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

Effective April 6, 1992.

CHAPTER 66

H.P. 1751 - L.D. 2439

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Washington County for the Year 1992