

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

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

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. 1 MRSA §602 is enacted to read:

§602. Additional media for publication of notices

Notwithstanding section 601, all probate notices, notices of foreclosure, other legal notices, legal advertising and other matter required by law to be published in a newspaper that have been published in the Coastal Journal from the date of its first publication on November 3, 1966 and in the Somerset Gazette from the date of its first publication on April 16, 1990 to the effective date of this Act, and that would have been valid but for the provision of section 601 that requires a newspaper carrying such notices to be entered as 2nd class postal matter, are declared to be valid.

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

Effective June 2, 1993.

CHAPTER 240

H.P. 1002 - L.D. 1348

An Act to Prohibit the Board of Environmental Protection from Adopting a Numeric Water Quality Criterion Prior to January 1, 1994

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

Sec. 1. 38 MRSA §420, sub-§2, ¶H is enacted to read:

H. Notwithstanding paragraphs D and G, the board may not adopt any numeric water quality criteria for, or acceptable level of additional cancer risk from exposure to, 2, 3, 7, 8 - tetrachlorodibenzo-p-dioxin prior to January 1, 1994.

See title page for effective date.

CHAPTER 241

S.P. 497 - L.D. 1517

An Act to Make Additional Appropriations and Allocations and to Make Technical Corrections to the Laws for the Fiscal Years Ending June 30, 1993 and June 30, 1994

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 may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses will become due and payable prior to July 1, 1993; 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:

PART A

Sec. A-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1993 to the departments listed, the following sums.

1992-93

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Budget - Bureau of the

Capital Expenditures (\$593)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

(593)

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Administration - Agriculture

Capital Expenditures (8,339)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

Provides for the deappropriation of funds from projected end-of-the-year savings.

DEPARTMENT OF AUDIT TOTAL

(30,458)

CONSERVATION, DEPARTMENT OF

Harness Racing Commission

Capital Expenditures (66)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

Administrative Services - Conservation

Personal Services (10,002)

Provides for the deappropriation of funds from projected end-of-the-year savings.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

(8,405)

Land Use Regulation Commission

Personal Services (9,835)

Provides for the deappropriation of funds from projected end-of-the-year savings.

ATLANTIC SEA RUN SALMON COMMISSION

Atlantic Sea Run Salmon Commission

Capital Expenditures (629)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

Land Use Regulation Commission

Capital Expenditures (181)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

ATLANTIC SEA RUN SALMON COMMISSION TOTAL

(629)

Land Use Regulation Commission

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

Capital Expenditures (1,060)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

Personal Services (25,000)
All Other 25,000

TOTAL -0-

Provides for the deappropriation of funds through the line category transfer from Personal Services to All Other for the technical review process of a wind energy project.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL

(1,060)

DEPARTMENT OF CONSERVATION TOTAL

(20,018)

AUDIT, DEPARTMENT OF

Audit - Departmental Bureau

Personal Services (30,458)

CORRECTIONS, DEPARTMENT OF

Administration - Corrections

Personal Services	(1,214)	Probation and Parole	
Provides for the deappropriation of funds from projected end-of-the-year savings.		Personal Services	(30,810)
Office of Advocacy		Provides for the deappropriation of funds from projected end-of-the-year savings.	
Personal Services	(5,224)	State Prison	
Provides for the deappropriation of funds from projected end-of-the-year savings.		Personal Services	(55,804)
		Capital Expenditures	(3,853)
		TOTAL	<u>(59,657)</u>
Central Maine Pre-Release Center		Provides for the deappropriation of funds from projected end-of-the-year savings.	
Personal Services	(14,490)	State Prison - Farm Program	
Capital Expenditures	(9,398)	Personal Services	(15,309)
TOTAL	<u>(23,888)</u>	Provides for the deappropriation of funds from projected end-of-the-year savings.	
Provides for the deappropriation of funds from projected end-of-the-year savings.		DEPARTMENT OF CORRECTIONS TOTAL	<u>(188,772)</u>
Correctional Services		ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF Administration - Economic and Community Development	
Personal Services	(1,268)	Capital Expenditures	(321)
All Other	(16,035)	Provides for the deappropriation of funds from projected end-of-the-year capital savings.	
TOTAL	<u>(17,303)</u>	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	<u>(321)</u>
Provides for the deappropriation of funds from projected end-of-the-year savings.		EDUCATION, STATE BOARD OF State Board of Education	
Correctional Center		Personal Services	(3,500)
Personal Services	(35,000)	Provides for the deappropriation of funds from projected end-of-the-year savings.	
Provides for the deappropriation of funds from projected end-of-the-year savings.			
Parole Board			
Personal Services	(128)		
All Other	(239)		
TOTAL	<u>(367)</u>		
Provides for the deappropriation of funds from projected end-of-the-year savings.			

**STATE BOARD OF EDUCATION
TOTAL**

(3,500)

EDUCATION, DEPARTMENT OF

**Administration - Local
School Services**

Personal Services

(4,555)

Provides for the deappropriation of funds from projected end-of-the-year savings.

Adult Education

Personal Services

(3,120)

Provides for the deappropriation of funds from projected end-of-the-year savings.

**Alcohol and Drug Education
Services**

Capital Expenditures

(160)

Provides for the deappropriation of funds from end-of-the-year capital reserves.

Block Grants to Municipalities

All Other

(113)

Provides for the deappropriation of funds from projected end-of-the-year savings.

**Certification, Placement and
Teacher Education**

All Other

(1,800)

Provides for the deappropriation of funds from projected end-of-the-year savings.

**Certification, Placement and
Teacher Education**

Personal Services

(2,057)

Provides for the deappropriation of funds from projected end-of-the-year savings.

Higher Education Services

All Other

(6,490)

Provides for the deappropriation of funds from projected end-of-the-year savings.

**Special Education - Exceptional
Children**

Personal Services

(2,509)

Provides for the deappropriation of funds from projected end-of-the-year savings.

**DEPARTMENT OF EDUCATION
TOTAL**

(20,804)

EXECUTIVE DEPARTMENT

Blaine House

Capital Expenditures

(1,000)

Provides for the deappropriation of funds from projected end-of-the-year savings.

**Maine Science and
Technology Commission**

Capital Expenditures

(15)

Provides for the deappropriation of funds from projected end-of-the-year savings.

Planning Office

Personal Services

(3,003)

All Other

(9,788)

TOTAL

(12,791)

Provides for the deappropriation of funds from projected end-of-the-year savings.

Office of Substance Abuse

Capital Expenditures

(23)

Provides for the deappropriation of funds from

projected end-of-the-year
capital savings.

EXECUTIVE DEPARTMENT
TOTAL (13,829)

HUMAN SERVICES, DEPARTMENT OF

**Administration - Regional -
Human Services**

Personal Services (6,316)
Capital Expenditures (715)

TOTAL (7,031)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

**Blind and Visually Impaired -
Division for the**

Personal Services (55,454)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Child Welfare Services

Personal Services (7,741)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Family Services Program

Personal Services (70,000)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Head Start

All Other (3,302)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Health - Bureau of

Capital Expenditures (879)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Income Maintenance - Regional

Personal Services (161,717)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Medical Care Administration

Capital Expenditures (2,568)

Provides for the
deappropriation of funds from
projected end-of-the-year
capital savings.

**Rehabilitation - Vocational
Rehabilitation - Bureau of**

Personal Services (136,913)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Social Services - Regional

Capital Expenditures (3,682)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

Special Children's Services

Personal Services (10,943)
All Other (805)

TOTAL (11,748)

Provides for the
deappropriation of funds from
projected end-of-the-year
savings.

DEPARTMENT OF HUMAN SERVICES
TOTAL (461,035)

**MENTAL HEALTH AND MENTAL
RETARDATION, DEPARTMENT OF**

Administration - Mental Health and Mental Retardation

Capital Expenditures (458)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

Aroostook Residential Center

Capital Expenditures (930)

Provides for the deappropriation of funds from projected end-of-the-year capital savings.

Augusta Mental Health Institute

All Other (100,000)
Capital Expenditures (5,251)

TOTAL (105,251)

Provides for the deappropriation of funds from projected end-of-the-year savings.

Bangor Mental Health Institute

All Other (50,000)

Provides for the deappropriation of funds from projected end-of-the-year savings.

Bangor Mental Health Institute

Capital Expenditures (5,742)

Provides for the deappropriation of funds from projected end-of-the-year capital reserves.

Fuel for Institutions - Mental Health and Mental Retardation

All Other (25,000)

Provides for the deappropriation of funds from projected end-of-the-year savings.

Pineland Center

Capital Expenditures (3,000)

Provides for the deappropriation of funds from projected end-of-the-year capital reserves.

Substance Abuse Services - Mental Health and Mental Retardation

All Other (75,000)

Provides for the deappropriation of funds from projected end-of-the-year savings.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL

(265,381)

TREASURER OF STATE, (OFFICE OF)

Administration - Treasury

Personal Services (4,273)

Provides for the deappropriation of funds from projected end-of-the-year savings.

(OFFICE OF) TREASURER OF STATE TOTAL

(4,273)

PART A TOTAL APPROPRIATIONS

(\$1,019,078)

PART B

Sec. B-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1993 to the departments listed, the following sums.

1992-93

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Maine Residents Property Tax Program

All Other \$845,806

Provides for the appropriation of funds to meet required

refund payments for the Maine Residents Property Tax Program.

Salary Plan

Personal Services 100,000

Provides for the appropriation of funds through savings generated from the hiring freeze as an offset to the deappropriation in Public Law 1993, chapter 6, Part I, section 1.

Executive Branch Departments and Independent Agencies - Statewide

All Other 180,000

Provides for the appropriation of funds for savings from the limitation of administrative costs for community agencies authorized in Public Law 1991, chapter 591, Part II. Partially offsetting deappropriations are made in Part I of this Act.

Taxation - Bureau of

All Other (7,500)

Provides for the deappropriation of funds through a transfer to the State Board of Property Tax Review.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

1,118,306

AGING, MAINE COMMITTEE ON

Aging - Maine Committee on

Personal Services 6,315

Provides for the appropriation of funds for unanticipated unemployment costs.

MAINE COMMITTEE ON AGING TOTAL

6,315

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Office of Advocacy - Mental Health and Mental Retardation

All Other 20,000

Provides for the appropriation of funds through a transfer from the Food for Institutions account to cover in-state travel, telephone and general operating expenses.

Food for Institutions - Mental Health and Mental Retardation

All Other (20,000)

Provides for the deappropriation of funds from projected end-of-the-year savings and transferred to the Office of Advocacy account.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL

-0-

PROPERTY TAX REVIEW, STATE BOARD OF

Property Tax Review - State Board of

Personal Services 3,500
All Other 4,000

Provides for the appropriation of funds through a transfer from the Bureau of Taxation for per diem and All Other expenses for board members.

STATE BOARD OF PROPERTY TAX REVIEW TOTAL

7,500

WOMEN, MAINE COMMISSION FOR

Women - Maine Commission for

Personal Services 5,653

Provides for the appropriation of funds for unanticipated unemployment costs.

MAINE COMMISSION FOR WOMEN TOTAL

5,653

PART B TOTAL APPROPRIATIONS

\$1,137,774

PART C

Sec. C-1. PL 1991, c. 591, Pt. BB, §§7 to 9 are enacted to read:

Sec. BB-7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1992-93

FINANCE, DEPARTMENT OF**Salary Plan**

Personal Services (\$172,274)

Provides for the deappropriation of funds from voluntary employee incentive programs.

Sec. BB-8. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

1992-93

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**Departments and Independent Agencies - Statewide**

Personal Services (\$114,113)

Provides for the deallocation of funds from voluntary employee incentive programs.

Sec. BB-9. Calculation and transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer shall transfer to the General Fund on a periodic basis, but no later than June 30, 1993, the amount of savings in each Other Special Revenue account attributable to the voluntary employee incentive programs with the exception of the following accounts: Augusta Mental Health Institute, Bangor Mental Health Institute, Energy Extension Service-Exxon, Standard Oil/Coline Gas, Baxter State Park Authority, Holbrook Island Sanctuary, Wolfneck Woods State Park, Park Maintenance Miscellaneous Gifts and Bequests, Public Reserved Lands Management Fund, Public Lands Management Fund, Submerged Lands Fund, Maine Conservation Corps and Motor Vehicle - Single Point Contact.

PART D

Sec. D-1. Allocation. The following funds are allocated from Federal Block Grant funds to carry out the purposes of this Part.

1992-93

HUMAN SERVICES, DEPARTMENT OF**Purchased Social Services - Federal**

All Other \$1,500,000

Provides for the allocation of funds from the Federal Child Care Development Block Grant for child care services.

DEPARTMENT OF HUMAN SERVICES TOTAL \$1,500,000

PART D TOTAL ALLOCATIONS \$1,500,000

PART E

Sec. E-1. PL 1993, c. 6, Pt. U, §1 is amended to read:

Sec. U-1. Transfer of funds. Pursuant to section 4 of this Part, notwithstanding the Maine Revised Statutes, Title 5, sections 1728-A to 1736, or any other provision of law, the Commissioner of Administrative and Financial Services is authorized to transfer \$2,956,536 \$2,623,287 from the reserve fund for self-insured retention losses to the unappropriated surplus of the General Fund between June 15, 1993 and June 30, 1993.

PART F

Sec. F-1. Continuation of positions. Notwithstanding any other provision of law, 60 positions at the Augusta Mental Health Institute and 33.5 positions at the Bangor Mental Health Institute, which were scheduled to be eliminated in connection with the placement of nursing home patients in community alternatives, are authorized to be continued until July 31, 1993 or until the effective date of the 1994-1995 biennial budget act, whichever occurs first. A listing of the positions must be on file at the Bureau of the Budget.

PART G

Sec. G-1. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

1992-93

JUDICIAL DEPARTMENT**Judicial Branch - DHS IV-D Cooperative Agreement**

Personal Services \$41,322
All Other 11,178

Provides for the allocation of funds to provide court services in accordance with the Judicial Branch - DHS IV-D Cooperative Agreement.

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

JUDICIAL DEPARTMENT
TOTAL _____
\$52,500

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
TOTAL _____
(13,488)

PART G
TOTAL ALLOCATIONS _____
\$52,500

EDUCATION, DEPARTMENT OF

PART H

Sec. H-1. 5 MRSA §1583-A, as repealed and replaced by PL 1993, c. 70, §1, is amended to read:

Adult Education

All Other (1,972)

§1583-A. Creation of positions

Notwithstanding any other provision of law, positions, except for workers' compensation positions to be established for former regular employees of the State who are receiving workers' compensation payments from the State, may not be established except as authorized by legislative appropriation or allocation, including general ledger accounts.

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

DEPARTMENT OF EDUCATION
TOTAL _____
(1,972)

PART I

Sec. I-1. Appropriation. The following funds are appropriated from the General Fund for the fiscal year ending June 30, 1993 to the departments listed, the following sums.

EXECUTIVE DEPARTMENT

Office of Substance Abuse

All Other (98,467)

1992-93

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Office of Tourism

All Other (\$580)

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

EXECUTIVE DEPARTMENT
TOTAL _____
(98,467)

Business Development

All Other (1,856)

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

LABOR, DEPARTMENT OF

Job Training Partnership Program

All Other (19,912)

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

STAR

All Other (24,110)

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

Comprehensive Land Use Planning

All Other (11,052)

Occupational Information Coordination

All Other (649)

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

DEPARTMENT OF LABOR TOTAL (44,671)

TRANSPORTATION, DEPARTMENT OF

Transportation Services

All Other (6,960)

Provides for the deappropriation of funds from the implementation of Public Law 1991, chapter 591, Part II.

DEPARTMENT OF TRANSPORTATION TOTAL (6,960)

PART I TOTAL APPROPRIATIONS (\$165,558)

PART J

Sec. J-1. Allocation. The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Part.

1992-93 1993-94

CONSERVATION, DEPARTMENT OF

Administrative Services - Conservation

Personal Services \$514 \$2,070

Provides for the allocation of funds for one Intern position as part of the Summer Internship Program.

DEPARTMENT OF CONSERVATION TOTAL 514 2,070

DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF

Military Training and Operations

Personal Services 700 3,550

Provides for the allocation of funds for one Intern position as part of the Summer Internship Program.

DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL 700 3,550

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Air Quality Control

Personal Services 3,000 15,000

Provides for the allocation of funds for 5 Intern positions as part of the Summer Internship Program.

Land Quality Control

Personal Services 1,200 6,000

Provides for the allocation of funds for 2 Intern positions as part of the Summer Internship Program.

Oil and Hazardous Materials Control

Personal Services 1,800 9,000

Provides for the allocation of funds for 3 Intern positions as part of the Summer Internship Program.

Water Quality Control

Personal Services 1,200 6,000

Provides for the allocation of funds for 2 Intern positions as part of the Summer Internship Program.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL 7,200 36,000

HUMAN SERVICES, DEPARTMENT OF

Division of Disability Determination

Personal Services 1,163 4,884

Provides for the allocation of funds for 2 Intern positions as part of the Summer Internship Program.

Bureau of Health

Personal Services 581 2,422

Provides for the allocation of funds for one Intern position as part of the Summer Internship Program.

DEPARTMENT OF HUMAN SERVICES TOTAL 1,744 7,306

LABOR, DEPARTMENT OF

Employment Security Services

Personal Services	2,053	10,457
Provides for the allocation of funds for 3 Intern positions as part of the Summer Internship Program.		
Job Training and Partnership Program		
Personal Services	2,737	13,944
Provides for the allocation of funds for 4 Intern positions as part of the Summer Internship Program.		
DEPARTMENT OF LABOR TOTAL	4,790	24,401
SECTION J-1 TOTAL ALLOCATIONS	14,948	73,327

Sec. J-2. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

	1992-93	1993-94
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Personal Services	600	3,000
Provides for the allocation of funds for one Intern position as part of the Summer Internship Program.		
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	600	3,000
SECTION J-2 TOTAL ALLOCATIONS	\$600	\$3,000

PART K

Sec. K-1. Funds for special education and supportive services. Notwithstanding the Maine Revised Statutes, Title 20-A, section 15613, subsection 15, the Commissioner of Education is authorized in fiscal year 1992-93 to expend funds in the General Purpose Aid Account in excess of those appropriated for special education and supportive services provided to state agency clients, based upon available cash produced by construction aid audit recoveries.

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

Effective June 3, 1993.

CHAPTER 242

H.P. 322 - L.D. 410

An Act Concerning the Payment of Assessed Property Taxes

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

Whereas, municipalities have certain expenses and liabilities that must be met as they become due; and

Whereas, it is necessary that the assessed taxes are paid in a timely manner in order to provide the required revenue for the municipalities; and

Whereas, the 90-day period may not terminate before taxes committed after April 1, 1993 are due; 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. 36 MRSA §843, sub-§4 is enacted to read:

4. Payment requirements for taxpayers. A taxpayer must pay an amount of current taxes equal to the amount of taxes paid in the next preceding year or the amount of taxes in the current tax year not in dispute, whichever is greater, by the due date in order to enter an appeal under this section or to continue prosecution of an appeal pending under this section. If an appeal is in process upon expiration of a due date for payment of taxes in a particular municipality, without the appropriate amount of taxes having been paid, the appeal process must be suspended until the appropriate amount of taxes, together with any accrued interest and costs, has been paid. This section applies to any property tax year beginning on or after April 1, 1993.

Sec. 2. 36 MRSA §844, sub-§4 is enacted to read:

4. Payment requirements for taxpayers. A taxpayer must pay an amount of current taxes equal to the amount of taxes paid in the next preceding year or the amount of taxes in the current tax year not in dispute, whichever is greater, by the due date in order to enter an appeal under this section or to continue prosecution of an appeal pending under this section. If an appeal is in process upon expiration of a due date for payment of taxes in a particular municipality, without the appropriate