

MAINE STATE LEGISLATURE

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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

in a water body. The assessment may include consideration of physical, chemical, biological and economic factors.

Sec. 4. 38 MRSA §467, sub-§7, ¶C, as repealed and replaced by PL 1989, c. 764, §7, is amended by enacting sub-¶(1), division (b-1):

(b-1) From its confluence with Chesuncook Lake to Ripogenous Dam - Class GPA as modified by section 464, subsection 9.

See title page for effective date.

CHAPTER 345

H.P. 1075 - L.D. 1441

An Act to Amend the Laws Governing the Knox County Budget Committee

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, the beginning of a new fiscal year necessitates a new budget proposal by the Knox County budget committee; and

Whereas, the changes enacted in this legislation clarify the budget procedures of the Knox County budget committee; and

Whereas, the emergency enactment of this legislation will correct and improve the recommendations of the Knox County budget committee; 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 §751, sub-§1, as amended by PL 1991, c. 548, Pt. C, §4, is further amended to read:

1. Membership. The budget committee consists of 9 members who are elected from districts defined in section 757 and as provided in this subsection. Each committee member ~~shall serve~~ serves a 4-year term, ~~with the exception of the initial committee members whose terms are described in section 757.~~

A. Budget committee members must be elected on the Tuesday following the first Monday of November in each even-numbered year beginning in 1994. Each term begins January 1st of the year following the election.

B. Nominations for the office of budget committee member must be nonpartisan and be made by petition in accordance with Title 21-A, chapter 5, subchapter II, except that candidates need not verify by oath or affirmation that they are not enrolled in a party and the number of signatures of voters must be at least 25 and not more than 40 on a nomination petition for a candidate in each district subdivision. The election must be conducted and the results determined as provided for in the election of county commissioners in section 61. Costs for reproduction and distribution of ballots must be paid by Knox County.

C. The budget committee shall elect annually a chair from among its members.

D. A vacancy occurring on the budget committee must be filled by the committee, subject to confirmation by a majority of the county commissioners, for the balance of the unexpired term. The person appointed to fill the vacant office must be from the same municipality or unorganized territory as the person vacating the office.

E. Members ~~shall~~ serve without compensation.

F. The county budget committee shall review the itemized estimated budget prepared by the county commissioners, prepare a proposed budget and after a public hearing approve a final budget.

Sec. 2. 30-A MRSA §753, sub-§1, as enacted by PL 1991, c. 257, is amended to read:

1. Proposed budget. The county commissioners shall submit an itemized estimated budget, as described in sections 701, 702 and 7503, in the form of a budget, to the budget committee in a timely fashion no later than 60 days before the end of the county's fiscal year. The county commissioners must identify in the itemized estimated budget all revenue sources, including balances in reserve accounts and other such funds, used in arriving at their budget estimates.

Sec. 3. 30-A MRSA §753, sub-§2, as enacted by PL 1991, c. 257, is amended to read:

2. Budget review process. The budget committee shall review the itemized estimated budget prepared by the county commissioners, together with any supplementary material prepared by each county department or provided by any independent board or institution or another governmental agency. The budget committee may use the surplus balance in any reserve account retained by the county after the purposes for which the account was created are accomplished or abandoned to reduce the county tax levy in the same manner as county commissioners are authorized to do under section 921. The budget committee shall prepare a proposed budget and may increase, decrease or alter the itemized estimated budget if:

A. The budget committee records in its minutes an explanation for any suggested change in the itemized estimated ~~expenditures and revenues as~~ budget initially presented by the county commissioners; and

B. The total estimated revenues, together with the amount of county tax to be levied, equals the total estimated expenditures in the proposed budget.

Sec. 4. 30-A MRSA §756, as amended by PL 1991, c. 548, Pt. C, §5, is repealed.

Sec. 5. 30-A MRSA §757, as amended by PL 1991, c. 548, Pt. C, §6, is repealed and the following enacted in its place:

§757. Budget committee membership districts

1. Redistricting process. The county commissioners shall prepare a redistricting plan for county budget committee seats by June 1, 1993 and every 10 years thereafter. The county commissioners shall submit the plan to the Secretary of State within 5 days of adoption. The Secretary of State shall immediately transmit the redistricting plan to the Legislature for review and enactment.

2. Budget committee districts. Budget committee members must be elected from districts as provided in this subsection.

A. District 1 consists of Criehaven, Isle au Haut, Matinicus Isle Plantation, North Haven, Vinalhaven and St. George and elects one member. The initial term for District 1 expires on December 31, 1996.

B. District 2 consists of South Thomaston and Owls Head and elects one member. The initial term for District 2 expires on December 31, 1994.

C. District 3 consists of Rockland and elects 2 members at large. The initial term for District 3 expires on December 31, 1996.

D. District 4 consists of Camden and elects one member. The initial term for District 4 expires on December 31, 1994.

E. District 5 consists of Hope and Rockport and elects one member. The initial term for District 5 expires on December 31, 1996.

F. District 6 consists of Appleton, Union and Washington and elects one member. The initial term for District 6 expires on December 31, 1994.

G. District 7 consists of Warren and Friendship and elects one member. The initial term for District 7 expires on December 31, 1996.

H. District 8 consists of Thomaston and Cushing and elects one member. The initial term for District 8 expires on December 31, 1994.

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

Effective June 15, 1993.

CHAPTER 346

H.P. 851 - L.D. 1156

An Act to Create the Maine Criminal Justice Information System

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

Sec. 1. 16 MRSA c. 3, sub-c. IX is enacted to read:

SUBCHAPTER IX

MAINE CRIMINAL JUSTICE INFORMATION SYSTEM

§631. Maine Criminal Justice Information System

There is created, within the Department of Public Safety, an information clearinghouse to be known as the Maine Criminal Justice Information System. The Maine Criminal Justice Information System shall provide criminal justice agencies and authorized private users ready access to shared uniform information on criminal offenders and crime data, including:

1. Offender tracking information. Offender-based tracking information, including any active status of offenders in the criminal justice system;