

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

authorized indebtedness of the district from \$1,500,000 to \$3,000,000?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election.

The result of the vote must be declared by the municipal officers of the Town of North Berwick and due certificate thereof must be filed by the town clerk with the Secretary of State.

Effective pending referendum.

CHAPTER 22

H.P. 577 - L.D. 781

An Act to Introduce Greater Efficiency in the Provision of Certain State Services

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

Whereas, certain information about determining eligibility for state-funded services is critical to the review of the 1994-95 biennial budget requests; 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. Analysis of programs. Each department and agency of State Government shall analyze all programs within that department or agency that provide a direct service to the public, other than the dissemination of routine public information, but do not charge a fee or copay for the service or use an income test in determining eligibility for the service.

Sec. 2. Report. Using fiscal year 1992-93 data, each department or agency of State Government is required to report to the Joint Standing Committee on Appropriations and Financial Affairs by June 1, 1993 listing the services provided to the public at no cost or without a means test; the expenditures, identified by funding source, made to support those services; the number of participants receiving those services or some other reliable measurement of service utilization; and the reasons a fee-for-service, copay or income test is not applied.

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

Effective May 27, 1993.

CHAPTER 23

S.P. 140 - L.D. 431

An Act to Amend the Charter of the Northern Maine Regional Planning Commission

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.

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

Sec. 1. P&SL 1989, c. 89, §4, first ¶, as amended by P&SL 1991, c. 31, is further amended to read:

Sec. 4. Charter. The following shall be the charter for the Northern Maine Regional Planning Commission, Inc. or the Northern Maine Development Commission, Inc.

Sec. 2. P&SL 1989, c. 89, §4, sub-§2, as amended by P&SL 1991, c. 31, is further amended to read:

2. Name. The commission is known as the Northern Maine Regional Planning Commission, Inc. or the Northern Maine Development Commission, Inc. and all business must be conducted under this name one of these names.

Sec. 3. P&SL 1989, c. 89, §4, sub-§4, ¶G, as amended by P&SL 1991, c. 31, is repealed and the following enacted in its place:

G. The officers of the commission include a chair, a vice-chair, an officer that performs the duties of secretary and clerk and a treasurer.

Sec. 4. P&SL 1989, c. 89, §4, sub-§4, ¶¶H and I are enacted to read:

H. The executive board has the authority, by majority vote, after 30 days' notice in writing, to exclude any member community or county from participation in the commission for failure to meet any of the requirements contained in this charter. Member communities and counties may appeal the

proposed action to the executive board or full commission for reinstatement. There may be no refund or proration of annual dues paid or due from the communities or counties against which this action has been taken.

I. Any member community or county may withdraw from the commission by presenting to the officer that performs the duties of secretary and clerk or the executive director written and attested evidence of a vote of withdrawal by the governing body of the community or county. There may be no refund or proration of annual dues paid or due from the withdrawing community or county.

Sec. 5. P&SL 1989, c. 89, §4, sub-§5, ¶¶A and B, as amended by P&SL 1991, c. 31, are further amended to read:

A. The commission's executive board of directors and administrative staff shall prepare an annual budget and shall recommend, on an equitable basis in relation to the current state valuation of communities and the latest United States Decennial Census count, the amount to be paid by each community within its service area. The amounts shall must be submitted to the commission, by the executive board, for review and approval at the ~~November~~ May meeting of the commission.

B. The commission's executive board of directors and administrative staff shall recommend what they consider a reasonable contribution to the commission from each county. The amount ~~shall~~ must be submitted to the full commission by the executive board for review and approval at the ~~November~~ May meeting of the commission.

Sec. 6. P&SL 1989, c. 89, §4, sub-§5, ¶D, as enacted by P&SL 1991, c. 31, is amended to read:

D. The fiscal year of the commission begins ~~January July~~ July 1st and ends ~~December 31st~~ June 30th.

Sec. 7. P&SL 1989, c. 89, §4, sub-§6, ¶C, as amended by P&SL 1991, c. 31, is further amended to read:

C. After the election and installation of the executive board, the commission shall elect by written ballot its a chair, a vice-chair, ~~secretary an officer to perform the duties of secretary and clerk~~ and a treasurer from among the members of the executive board. The chair and vice-chair ~~shall~~ must be limited to serve not more than 2 consecutive one-year terms in office.

The person that performs the duties of secretary and clerk is responsible for reviewing minutes prior to their printing and shall perform such other duties as are customary to the office including re-

sponsible direction of such secretarial duties as are assigned by the charter and such duties as are prescribed by law to the clerk.

Sec. 8. P&SL 1989, c. 89, §4, sub-§8, ¶¶A and B, as amended by P&SL 1991, c. 31, are further amended to read:

A. The commission shall schedule at least 2 meetings yearly. ~~These meetings~~ The annual meeting must be held in the months month of May ~~and November~~ at a time and place, to be determined by the executive board, which shall best serve the convenience of the greatest number of representatives and alternatives.

The executive board has the authority to set the date, time, place and content of the 2nd commission meeting.

B. The ~~regular annual~~ meeting to be held in November ~~May shall be~~ is known as the annual meeting and ~~shall~~ must be divided in 2 parts as follows: Part 1 ~~shall be~~ is for the purpose of receiving reports of the executive board, committees; and staff and for unfinished business; part 2 ~~shall be~~ is for the purpose of electing executive board members and officers and for new business.

Sec. 9. P&SL 1989, c. 89, §4, sub-§9, ¶B, sub-¶(3), division (b) is amended to read:

(b) The executive board shall review and approve loans ~~under~~ up to \$50,000.

Sec. 10. P&SL 1989, c. 89, §4, sub-§9, ¶B, sub-¶(6), as amended by P&SL 1991, c. 31, is repealed.

Sec. 11. P&SL 1989, c. 89, §4, sub-§9, ¶B, sub-¶(7), as amended by P&SL 1991, c. 31, is further amended to read:

(7) The salary schedule for ~~other staff shall~~ all personnel must be approved as follows.

(a) The executive director shall review and recommend the staff salary schedule.

(b) The executive board shall review and approve the staff salary schedule.

Sec. 12. P&SL 1989, c. 89, §4, sub-§12, ¶G is enacted to read:

G. This corporation shall abide by all rules and regulations set forth in Section 687 of the Small Business Investment Act of 1958, 15 United States Code, Section 661, et seq., as amended.

See title page for effective date.