

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

RESOLVES
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE
1993

Department of Corrections or should be moved to the Department of Children and Families, recommend strategies to improve services for consumers of juvenile correctional services and increase the eligibility of juvenile correctional clients for 3rd-party payment of services. The task force must include parents of children receiving correctional services; representatives from community advocacy organizations involved in juvenile corrections issues; a representative from the Juvenile Justice Advisory Group; at least one representative from the educational policy advisory committee for the Arthur R. Gould School; representatives from the Department of Corrections, the Department of Human Services and other appropriate executive agencies; 2 members of the Joint Select Committee on Corrections, one member of the Joint Standing Committee on Human Resources and one member of the Joint Standing Committee on Judiciary.

The chair of the team shall call the first meeting, at which the members of the task force shall select a task force chair by majority vote. The task force must report its findings to the team by September 1, 1993. Copies of the task force report must be submitted to the Joint Select Committee on Corrections and the Joint Standing Committee on Human Resources.

For the purposes of this resolve, "juvenile correctional services" include juvenile detention, probation and parole, the Maine Youth Center and community-based juvenile programs; and be it further

Sec. 7. Composition of the Health and Social Services Transition Team; chair. Resolved: That the team must be created before July 1, 1993 and consists of the following members:

1. Five Legislators, appointed jointly by the President of the Senate and the Speaker of the House of Representatives:

A. Two of whom must serve on the Joint Standing Committee on Human Resources;

B. Two of whom must serve on the Joint Standing Committee on Education; and

C. One of whom must serve on the Joint Select Committee on Corrections;

2. Two representatives from the Department of Mental Health and Mental Retardation, appointed by the Commissioner of Mental Health and Mental Retardation;

3. Two representatives from the Department of Human Services, appointed by the Commissioner of Human Services;

4. Three members from constituency or advocacy groups concerned with health, mental health, social ser-

vices and homelessness issues, one appointed by the Governor and 2 appointed jointly by the President of the Senate and the Speaker of the House of Representatives;

5. Two representatives of providers of health, mental health and social services, one appointed by the Governor and one appointed jointly by the President of the Senate and the Speaker of the House of Representatives;

6. One representative from the Executive Department, appointed by the Governor; and

7. One member representing the public, appointed by the Governor, to serve as the chair of the team.

No expenses or reimbursement are authorized for members of the team. The Department of Human Services and the Department of Mental Health and Mental Retardation shall absorb the costs of preparing and distributing the team's report; and be it further

Sec. 8. Assistance from agencies. Resolved: That the following officials shall provide information, advice and assistance to the team upon request: the Commissioner of Human Services; the Commissioner of Corrections; the Commissioner of Education; the Commissioner of Mental Health and Mental Retardation; the Commissioner of Labor; the Commissioner of Economic and Community Development; the Director of the Office of Substance Abuse; the Director of the State Planning Office; the Director of the Maine State Housing Authority; and the chair of the Interagency Task Force on Homelessness. The team may request assistance from the Legislative Council to prepare the legislation required by this resolve.

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

Effective June 24, 1993.

CHAPTER 37

H.P. 1158 - L.D. 1557

Resolve, for Laying of the County Taxes and Authorizing Expenditures of York County for the Year 1993

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 and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, York 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 1993 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. York County; taxes apportioned. Resolved: That the following sum is granted as a tax on York 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 1993:

1993 TAX

\$4,380,157

; 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 1993, in the specific total amounts of expenditures for personal services, contractual services, commodities and capital expenditures for each account in the county budget:

APPROPRIATION ACCOUNT NUMBER	APPROPRIATIONS
115 - Emergency Management Agency	
Personal Services	\$61,322
Contractual Services	16,430
Commodities	4,525
125 - District Attorney	
Personal Services	348,744
Contractual Services	166,057
Commodities	21,000
126 - Victims of Crime (V.O.C.A.)	
Personal Services	22,050
130 - County Commissioners and Treasurer	
Personal Services	145,275
Contractual Services	40,049
Commodities	6,658
Capital Expenditures	12,500

140 - County Buildings	
Personal Services	26,401
Contractual Services	166,957
Commodities	20,250
150 - Jail - Support of Prisoners	
Personal Services	1,477,089
Contractual Services	656,230
Commodities	220,000
Capital Expenditures	70,000
151 - Community Based Programs	
Personal Services	30,323
Contractual Services	82,052
Commodities	1,000
165 - Register of Deeds	
Personal Services	303,530
Contractual Services	186,950
Commodities	7,175
170 - Register of Probate	
Personal Services	176,673
Contractual Services	44,753
Commodities	8,500
Capital Expenditures	2,948
175 - Sheriff	
Personal Services	507,677
Contractual Services	80,800
Commodities	7,300
Capital Expenditures	41,637
176 - Sheriff Services	
Personal Services	333,000
Contractual Services	98,000
200 - Interest Expense	
Contractual Services	100,000
245 - Program Grants	
Contractual Services:	
Diocesan Human Relations	17,270
YMCA Fair Harbor Shelter	1,866
Creative Work Systems	4,668
Southern Maine Senior Citizens - RSVP Program	8,402
York County Visiting Nurse Association	17,270
Waban Projects, Inc.	12,603
York County Community Action	22,404
Caring Unlimited	2,800
Center for Community Dental Health Counseling Component	5,135
Counseling Component	18,671
246 - Intergovernmental Agencies	
Contractual Services:	
Saco River Corridor Commission	5,132
Soil and Water Conservation	933
Regional Planning Commission	46,655
Extension Services	40,124

280 - Contingency	
Contractual Services	50,000
290 - Capital Projects	
Capital Expenditures	75,000
297 - Communications	
Personal Services	237,140
Contractual Services	34,450
Commodities	3,120
Capital Expenditures	17,000
TOTAL GENERAL FUND	\$6,114,498

; 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 1993. The following is a summary of revenues and appropriations:

Total General Fund:	\$6,114,498
Available Credits:	
Estimated Revenue	\$903,000
Reimbursements	831,341
Total Available Credits	1,734,341
Amount to be Raised by Taxation	\$4,380,157

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

Effective June 24, 1993.

CHAPTER 38

H.P. 827 - L.D. 1113

Resolve, to Extend the Commission to Study the Feasibility of a Capital Cultural Center and to Establish an Advisory Committee to the Commission

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 Commission to Study the Feasibility of a Capital Cultural Center has completed its initial report but still has important work to do; and

Whereas, in order for the commission to accomplish work in a timely fashion, it is imperative that this legislation be enacted as an emergency measure; 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, last sentence is amended to read:

The commission shall select a chair from among its members. A vacancy in any of the appointed positions on the commission must be filled by a member appointed jointly by the Governor, the President of the Senate and the Speaker of the House of Representatives; and be it further

; and be it further

Sec. 2. Resolve 1991, c. 46, amended. Resolved: That Resolve 1991, c. 46, §9 is amended to read:

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; and be it further

; and be it further

Sec. 3. Resolve 1991, c. 46, amended. Resolved: That Resolve 1991, c. 46, §§10 to 13 are enacted to read:

Sec. 10. Advisory committee. Resolved: That the chair may appoint an advisory committee to assist the commission in carrying out its duties under this resolve. Any member appointed to the advisory committee is not entitled to compensation. The advisory committee must consist of the following 7 members:

1. Two members representing performing arts groups;
2. Two educators, one of whom is an educator in the public school system in Augusta and one of whom is a representative of the Department of Education;
3. One architect or engineer;
4. One member of the visual arts community; and
5. One member designated by the Maine Art Sponsors Association; and be it further

Sec. 11. Additional report. Resolved: That, in addition to the report required under section 7, the commission shall submit a report to the First Regular Session of the 117th Legislature no later than November 1, 1994; and be it further