

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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
1995

CHAPTER 54

H.P. 282 - L.D. 386

An Act to Establish the Maine
Commission on Community ServiceBe it enacted by the People of the State of
Maine as follows:

Sec. 1. 5 MRSA c. 373 is enacted to read:

CHAPTER 373MAINE COMMISSION FOR COMMUNITY
SERVICE§7501. Commission established

There is established the Maine Commission for Community Service, referred to in this chapter as the "commission," to foster the State's ethic of community service; encourage community service and volunteerism as a means of meeting critical human, environmental, educational and public safety needs throughout the State; serve as the State's liaison regarding national and community service and volunteer activities; foster collaboration among service agencies; receive gifts and grants, implement statewide service programs and make subgrants to state and local entities in accordance with the federal National and Community Service Trust Act of 1993, Public Law 108-02.

§7502. Membership; terms

1. Membership; qualifications. The commission consists of no fewer than 15 and no more than 25 voting members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over state and local government matters. The commission must include the following:

- A. A representative of a community-based agency or organization;
- B. The Commissioner of Education or the commissioner's designee;
- C. A representative of local government;
- D. A representative of a local labor organization;
- E. A representative of business;
- F. An individual who is at least 16 years of age but no more than 25 years of age and who is a participant in or supervisor of a service program

for youth or a campus-based or national service program;

G. A representative of a national service program;

H. An individual with expertise in the education, training and development needs of youth, particularly disadvantaged youth;

I. An individual with experience in promoting the involvement of adults aged 55 and older in national service and volunteerism; and

J. A representative of the State's volunteer community.

A member may fulfill the representation requirement for more than one category in this subsection.

The appointments may also include educators, including representatives from institutions of higher education and local education agencies; experts in the delivery of human, educational, environmental or public safety services to communities and persons; representatives of Native American tribes and nations; out-of-school or at-risk youth; and representatives of programs that are administered or receive assistance under the federal Domestic Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973). The commission also must include a nonvoting liaison designated by the federal Corporation for National and Community Service. The appointments must reflect diversity with respect to geography, race, ethnicity, age, gender, disability characteristics and political affiliation. Not more than 50% plus one member may be from the same political party. The number of voting members who are officers or employees of the State may not exceed 25% of the total membership.

The chair must be an appointed voting member of the commission, selected by the voting members. Members may not vote on issues affecting organizations they have served in a staff or volunteer capacity at any time during the preceding 12 months.

2. Terms of office. The appointed members serve 3-year staggered terms. Terms expire on September 1st. The Governor shall appoint members to vacancies on the commission as they occur or upon expiration of terms. Any vacancy must be filled for the unexpired portion of the term in which the vacancy occurs.

2-A. Members serve duration of terms. Notwithstanding subsection 2, members appointed on September 6, 1994 pursuant to Executive Order 6, fiscal year 1993-94 serve out the duration of their terms. This subsection is repealed January 1, 1998.

3. Reimbursement. Members are entitled to compensation for expenses incurred in the performance of their duties on the commission in the same manner as state employees.

§7503. Duties

The commission shall:

1. Vision. Develop a state vision statement for national, state and community service;

2. Ethic of service. Demonstrate an ethic of service through its activities and procedures utilizing decision-making by consensus and annually evaluate how effectively its procedures and bylaws are fostering the state vision and service ethic;

3. National and community service plan. Develop a 3-year comprehensive national and community service plan and update the plan annually. The commission shall ensure an open and inclusive process for maximum participation in development of the plan and determination of state priorities;

4. Preselect programs and prepare applications. Preselect national service programs as defined in the National Service Trust Act, 42 United States Code, Section 12502, et seq. and prepare a grant application to the Corporation for National and Community Service;

5. Assist state education agencies. Assist the Department of Education and institutions of higher education in the preparation of applications for national and community service grants;

6. Administer grant programs. Evaluate, monitor and administer grant programs;

7. Provide technical assistance. Serve as a clearinghouse for information on national and community service and provide technical assistance to local nonprofit organizations and other entities in planning, applying for funds and implementing national service programs;

8. Provide program development assistance and training. Provide program development assistance and training to national service programs in the State;

9. Recruitment and placement. Serve as a clearinghouse for people interested in national and community service placements and agencies recruiting volunteers;

10. State priorities. Make recommendations to the Corporation for National and Community Service with respect to priorities within the State for programs receiving assistance under the federal Domestic

Volunteer Service Act of 1973, 42 United States Code, Section 4951, et seq. (1973);

11. Coordination. Foster collaboration among state agencies, colleges, universities, municipalities, federal agencies and volunteer service programs;

12. Advisory committees. Establish advisory committees as needed, with membership not limited to commission members;

13. Fund raising. Carry out fund-raising efforts to supplement federal funding and to meet all federal matching requirements; and

14. Annual report. Submit an annual report to the Governor, the Legislature and the joint standing committee of the Legislature having jurisdiction over state and local government matters by January 31st of each year.

§7504. Staff and administrative services

The State Planning Office shall provide staff and administrative services as follows.

1. Executive director. The Director of the State Planning Office with the advice and consent of the commission shall hire an executive director as a member of the State Planning Office staff. The executive director oversees day-to-day operations of the commission, hires staff members with the approval of the commission and the Director of the State Planning Office, and carries out other responsibilities as directed by the commission.

2. Administrative services. The State Planning Office shall provide the executive director and the commission with continuing administrative support as appropriate. The State Planning Office may establish a dedicated account on behalf of the commission to receive funds contributed by private and public agencies for use solely for commission purposes.

Sec. 2. Transition. Any member appointed on September 6, 1994 pursuant to Executive Order 6, Fiscal Year 1993-94 must be included in the initial appointment of members. Members appointed under Executive Order 6, Fiscal Year 1993-94 serve out the staggered terms to which they were originally appointed.

Sec. 3. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

1995-96 1996-97

EXECUTIVE
DEPARTMENT

**Maine Commission for
Community Service**

All Other	\$1,000	\$1,000
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Provides authorization for the expenditure of contributions from private and public agencies to be used solely for the Maine Commission for Community Service within the State Planning Office.

See title page for effective date.

CHAPTER 55

S.P. 212 - L.D. 554

**An Act Concerning the System of
State Law Libraries**

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

Whereas, current laws providing for a system of law libraries in Houlton, Farmington, Dover-Foxcroft and Belfast are repealed July 1, 1995; and

Whereas, law libraries in these communities are a significant resource to members of the public and bar; 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. 4 MRSA §193, last ¶, as enacted by PL 1993, c. 375, §3 and affected by §5, is repealed.

Sec. 2. PL 1993, c. 375, §5 is repealed.

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

Effective May 3, 1995.

CHAPTER 56

H.P. 410 - L.D. 567

**An Act Relating to Municipal Clerks
Who Chair Boards of Voter
Registration**

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

Sec. 1. 21-A MRSA §103, sub-§3, as enacted by PL 1985, c. 161, §6, is amended to read:

3. Term of office. Each member nominated by the municipal committees of the major political parties and appointed to the board shall serve for 3 years and until ~~his~~ the member's successor is appointed and sworn. The member nominated by the clerk of the municipality and appointed to the board shall serve for 4 years and until ~~his~~ that member's successor is appointed and sworn, except that, when the member nominated by the clerk and appointed to the board is the clerk of the municipality, the clerk's tenure as member ends when the clerk's tenure as clerk ends, unless sooner removed from office on the board.

Sec. 2. 21-A MRSA §103, sub-§8, as amended by PL 1991, c. 862, §2, is further amended to read:

8. Removal from office. A member of the board may be removed from office at any time during the member's term by the appointing authority if the appropriate nominating authority nominates a replacement, except that when the chair of the board is the clerk of the municipality, the chair may also be removed from office at any time during the chair's term by the municipal officers, for good cause, after notice and opportunity to be heard. When the clerk of the municipality is removed from the board, the municipal officers may appoint a replacement of their choice. The ~~Any~~ replacement ~~nominee~~ member shall serve out the remainder of the replaced member's term.

Sec. 3. Retroactivity. That section of this Act that amends the Maine Revised Statutes, Title 21-A, section 103, subsection 8 applies retroactively to October 9, 1991.

See title page for effective date.

CHAPTER 57

H.P. 421 - L.D. 578

**An Act to Amend Certain Laws
Relating to the Collection of
Property Taxes**