

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
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TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
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preventative, comprehensive, family-focused and universally available within the project areas.

The Department of Human Services shall undertake a planning process for the Healthy Start Pilot Project that must involve consumers and providers of social services in the different regions of the State and that must include consideration of the resources that exist and that would need to be developed in different pilot project areas and the feasibility of charging for services.

The Department of Human Services shall administer a contract program under which 3 pilot projects are funded. The following are required elements of the contracts: consistent program design; comprehensive and uniform training of personnel; and systematic evaluation. The pilot projects must collaborate with other entities in the community providing services to families in order to expand on existing services.

All pilot projects must adopt the following Maine Healthy Start Critical Elements.

1. Pilot projects must offer services on a voluntary basis to families in the projects areas.
2. First-tier supportive services must be available to all new parents and include:
 - A. Community-level, home-based nursing services to attend to the newborn infant care issues;
 - B. Outreach that provides periodic child health and development information and encourages families to seek out help as needed; and
 - C. Use of any other existing family support outreach services in Maine communities.
3. Second-tier home visitor services must be offered to parents who need them and must be continued with frequency that matches the needs of the family.
4. Identification of needs must be done using a family stress checklist.
5. Pilot projects must accept families prenatally until children are 6 months of age and continue those services until the child is 5 years of age.
6. To encourage acceptance of 2nd-tier services when needed, outreach must continue for at least 3 months.
7. Services must be family-focused, promote healthy child development and assist the family toward self-sufficiency and full partnership with other families in enhancing family and community well-being.

8. Families must be linked to primary health care providers.

9. Pilot projects must complement existing community services, whether federally or state supported.

10. Home visitors must receive ongoing professional supervision and have limited caseloads.

All pilot projects are for 4 years' duration, with the first contracts for each program to last 2 years. Administrative costs for each program are limited to 10% of the program cost for general administration. The cost of the evaluation is limited to 15% of the program cost. The Department of Human Services shall oversee all 3 projects and shall evaluate the projects and shall develop an evaluation plan for the projects prior to implementation.

All pilot projects must match 25% of the contract amount with community-based funding, which may be a combination of cash and in-kind contributions of space, equipment, supplies, staff time or services.

All pilot projects shall meet regularly with the other projects and the Department of Human Services to share experiences, coordinate efforts, plan for statewide expansion and coordinate searches for outside funding to supplement any General Fund appropriations for the last 2 years of their duration; and be it further

Sec. 2. Report. Resolved: That the Department of Human Services shall submit an interim report to the joint standing committee of the Legislature having jurisdiction over human resources matters and to the Executive Director of the Legislative Council by July 1, 1997 and a complete report by July 1, 1998.

See title page for effective date.

CHAPTER 47

H.P. 550 - L.D. 746

Resolve, to Create the Commission to Study the Growth of Tax-exempt Property in Maine's Towns, Cities, Counties and Regions and its Impact on those Budgets

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

Whereas, nonprofit agencies need a variety of services from municipal governments; and

Whereas, most nonprofit agencies are not required to pay service fees or make payments in lieu of taxes; and

Whereas, municipal budgets are being strained by continued growth in tax-exempt property without concomitant growth in service fees or payments in lieu of taxes or without the capacity for any local revenue options; 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. Commission established. Resolved: That the Commission to Study the Growth of Tax-exempt Property in Maine's Towns, Cities, Counties and Regions, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 21 members as follows:

1. Two members of the Senate, one from the Joint Standing Committee on Taxation and one from the Joint Standing Committee on State and Local Government, appointed by the President of the Senate;

2. Four members of the House of Representatives, 2 from the Joint Standing Committee on Taxation and 2 from the Joint Standing Committee on State and Local Government, appointed by the Speaker of the House of Representatives;

3. The President of the Maine Municipal Association or a designee;

4. Four municipal officials appointed by the Governor as follows: one from a municipality with less than 1,000 in population; one from a municipality with greater than 1,000 and less than 10,000 in population; and 2 from municipalities with greater than 10,000 in population;

5. Four representatives of nonprofit agencies, including one from a hospital, one from an educational institution, one from a charitable and benevolent institution and one from an environmental organization with significant land holdings;

6. The State Tax Assessor or a designee;

7. A member of the Maine Association of Assessing Officers;

8. A member of the Maine Tax Collectors Association; and

9. Three members of the general public who pay property taxes, appointed by the Governor; and be it further

Sec. 3. Convening of commission. Resolved: That all appointments must be made no later than 30 days after the effective date of this resolve. The chair of the Legislative Council shall call the first meeting of the commission within 14 days after all appointments are made. The commission shall elect a chair from among the members; and be it further

Sec. 4. Duties. Resolved: That the commission shall study the following issues:

1. The rate of growth in tax-exempt property as a percentage of all taxable property in a town, city, county or region;

2. The use of service charges and payments in lieu of taxes and their impact on nonprofit entities;

3. The history and rationale for each property tax exemption and whether that rationale continues to be valid; and

4. Any other issues that are related to tax-exempt property in Maine's communities that the commission determines appropriate; and be it further

Sec. 5. Report. Resolved: That the commission shall prepare a written report of its findings and submit the report, together with any necessary implementing legislation, within 30 days after the convening of the Second Regular Session of the 117th Legislature; and be it further

Sec. 6. Staff assistance. Resolved: That the commission shall request staffing assistance from the Legislative Council; and be it further

Sec. 7. Reimbursement. Resolved: That the members of the commission are not entitled to any reimbursement or compensation for attendance at meetings of the commission, except that legislative members are entitled to receive the legislative per diem and reimbursement for expenses upon approval of the chair of the commission and application to the Executive Director of the Legislative Council; and be it further

Sec. 8. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

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Commission to Study the Growth of Tax-exempt Property in Maine's Towns, Cities, Counties and Regions

Personal Services	\$990
All Other	1,760
TOTAL	\$2,750

Provides funds for the advertising and miscellaneous expenses of the Commission to Study the Growth of Tax-exempt Property in Maine's Towns, Cities, Counties and Regions and funds for legislative per diem and reimbursement.

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

Effective July 3, 1995.

CHAPTER 48

S.P. 386 - L.D. 1063

Resolve, to Require a Study of Retail Competition in the Electric Industry

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

Whereas, it is immediately necessary to begin the study of an orderly transition to a competitive electric energy market to ensure that the transition is orderly and conducted in the best interests of the State; 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. Study. Resolved: That the Public Utilities Commission and the Work Group on Electric Industry Restructuring, which is created by this resolve, shall conduct a study of the electric industry in order to develop plans, consistent with the public interest, that establish guidelines and requirements for

an orderly transition to a competitive market for retail purchases and sales of electric energy; and be it further

Sec. 2. Issues. Resolved: That the Public Utilities Commission and the work group shall study the issues associated with the orderly transition to a competitive market for retail purchases and sales of electric energy, including at least the following:

1. How utility stranded investment is defined and calculated and how it will be dealt with;
2. How the regional marketplace and federal law affect the transition;
3. How the State's energy policy, including policies concerning conservation, use of renewable and indigenous resources and diversity of supply, will be affected;
4. How the State's environment and environmental policies will be affected;
5. How social policies, including low-income programs and universal service goals, will be affected;
6. How ratepayers, shareholders of investor-owned electric utilities, owners of consumer-owned electric utilities and other owners of energy resources will be affected;
7. How the State's economy will be affected;
8. How reliability of service will be affected;
9. How obligations of contracts will be affected;
10. How a system for the transmission, distribution and generation of electricity should be structured; and
11. To what extent protections against anticompetitive practices can be provided; and be it further

Sec. 3. Work group created. Resolved: That the Work Group on Electric Industry Restructuring, referred to in this resolve as the "work group," is established; and be it further

Sec. 4. Work group membership; meetings; chair. Resolved: That the work group consists of 18 members as follows:

1. Four Legislators who must be members of the Joint Standing Committee on Utilities and Energy, appointed jointly by the chairs of that committee;
2. One member representing the State Planning Office, appointed by the Governor;
3. The Public Advocate or the Public Advocate's designee;