

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

C. Their credit history demonstrates a reasonable willingness and ability to pay past debts and other obligations or that any past credit problems can be explained to the satisfaction of the authority.

The authority may require less than adequate collateral for loans under this subsection, may provide for deferral of payments of principal or both principal and interest, and may waive accrual of interest for a period of up to 12 months. In order to process loan requests as promptly as possible, the chief executive officer is authorized to act on behalf of the authority and may approve loans under this section on such terms and conditions as the chief executive officer determines necessary or prudent, without the need for rulemaking and without being limited by the provisions of existing rules adopted in accordance with subsection 3. Assistance under this subsection is limited to an aggregate of no more than \$2,000,000, and all applications under this subsection must be received no later than April 30, 1998.

PART B

Sec. B-1. 5 MRSA §1513, sub-§1-H is enacted to read:

1-H. Transfer from the Maine Rainy Day Fund; disaster assistance in 1998. The Finance Authority of Maine is authorized to request a transfer or transfers in an amount not to exceed \$2,000,000 in aggregate in fiscal year 1997-98 from the available balance in the Maine Rainy Day Fund for the purpose of replenishing funds in the Economic Recovery Program authorized in Title 10, section 1026-J, subsection 4. A transfer or transfers from the fund may take place only if funds are needed by the Finance Authority of Maine to meet the needs of Title 10, section 1026-J, subsections 1 to 3. Notwithstanding subsection 2 and section 1585, the Finance Authority of Maine may request such transfer or transfers to be made available by financial order, upon the recommendation of the State Budget Officer and approval of the Governor.

Sec. B-2. Repayment to Maine Rainy Day Fund. All funds transferred by operation of this Act to the Finance Authority of Maine from the Maine Rainy Day Fund must be repaid by the authority. As the amounts loaned using the Maine Rainy Day Fund proceeds are repaid, the Finance Authority of Maine must deposit those amounts, including interest, in the Maine Rainy Day Fund at the end of each fiscal quarter.

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

Effective January 29, 1998.

CHAPTER 564

H.P. 1549 - L.D. 2178

An Act to Meet Maine National Guard Payrolls Related to the Ice Storms of 1998

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

Whereas, the State of Maine has been declared to be a Federal Disaster Area as a result of at least one ice storm, which has resulted in massive power outages and significant damages to individuals, businesses and communities throughout most of the State; and

Whereas, the State of Maine has been impacted by additional storms in 1998 as well; and

Whereas, these natural disasters have had a serious adverse impact on the State, which has required the important services of the Maine National Guard; and

Whereas, upcoming Maine National Guard payrolls can not be met without additional funding; 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. 5 MRSA §1513, sub-§1-H is enacted to read:

1-H. Transfer from the Maine Rainy Day Fund; Maine National Guard payrolls in fiscal year 1997-98. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$785,000 in fiscal year 1997-98 must be transferred from the available balance in the Maine Rainy Day Fund to the "Military Training and Operations" General Fund program in the Department of Defense, Veterans and Emergency Management to be made available by financial order, upon the recommendation of the State Budget Officer

and approval of the Governor, to be used to meet Maine National Guard payrolls in fiscal year 1997-98.

Sec. 2. Repayment to Maine Rainy Day Fund. All funds received by the State as reimbursement from the Federal Government for its share of the Maine National Guard payrolls referenced in section 1 of this Act must be deposited in the Maine Rainy Day Fund as soon as practicable.

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

Effective January 29, 1998.

CHAPTER 565

S.P. 812 - L.D. 2191

An Act to Provide State Matching Funds for Federal Disaster Assistance Relating to the January Ice Storms

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

Whereas, the State was ravaged by 2 ice storms in January 1998 and has been declared a Federal Disaster Area; and

Whereas, these storms caused a tremendous amount of damage in municipalities across 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 enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §1513, sub-§1-I is enacted to read:

1-I. Transfer from Maine Rainy Day Fund; disaster assistance. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$5,000,000 in fiscal year 1997-98 may be transferred from the available balance in the Maine Rainy Day Fund to the "Administration - Maine Emergency Management Agency" program in the Department of Defense, Veterans and Emergency Management to be made available by financial order upon the recommendation of the State Budget Officer and approval of the

Governor to be used as the State's matching share for disaster assistance associated with the ice storms of 1998.

Sec. 2. Unexpended resources. Notwithstanding any other provision of law, the Commissioner of Defense, Veterans and Emergency Management is authorized to use, after identifying all outstanding obligations and commitments, all remaining resources available, including beginning cash balances and current year appropriations, within the General Fund Disaster Assistance account within the Maine Emergency Management Agency, in order to carry out the intent of this Act.

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

Effective February 12, 1998.

CHAPTER 566

H.P. 1390 - L.D. 1943

An Act to Repeal the Residency Requirement for Credit Union Directors

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

Sec. 1. 9-B MRSA §842, sub-§1, ¶A, as enacted by PL 1975, c. 500, §1, is amended to read:

A. The number of directors of a credit union ~~shall may~~ not be less than 5, all of whom must be ~~residents of this State~~ members of the credit union.

See title page for effective date.

CHAPTER 567

H.P. 1365 - L.D. 1915

An Act to Amend the Law Governing the Filing of Municipal Campaign Reports

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

Sec. 1. 21-A MRSA §1058, as amended by PL 1995, c. 483, §19, is further amended to read:

§1058. Reports; qualifications for filing