

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

"Rate band" means the range of rates from 85% to 145% of the benchmark rate. For the purposes of this subsection, "benchmark rate" is the pure premium rate filing filed by the State's advisory organization as defined in section 2381-C and currently approved by the superintendent.

5. Assessment. Any assessment levied against policyholders ~~in a division~~ is for the exclusive benefit of the policyholders subject to the assessment. Any policyholder not paying an undisputed assessment is not eligible for coverage from the company or in the voluntary market.

See title page for effective date.

CHAPTER 662

H.P. 1603 - L.D. 2229

An Act to Implement Recommendations of the Joint Standing Committee on Business and Economic Development Relating to the Review of the Maine Development Foundation under the State Government Evaluation Act

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

Sec. 1. 10 MRSA §918, sub-§1, as enacted by PL 1977, c. 548, §1, is amended to read:

1. Private sector corporators. Private sector corporators ~~shall be~~ are those individuals, partnerships, firms, corporations and other organizations providing support ~~of at least \$250~~ annually to the foundation at a level determined by the board of directors.

Sec. 2. 10 MRSA §918, sub-§2, as amended by PL 1989, c. 443, §19, is further amended to read:

2. Public sector corporators. Public sector corporators ~~shall be~~ are those agencies of government and other organizations providing support ~~of at least \$50~~ annually to the foundation, at a level determined by the board of directors. For the purposes of this chapter, public sector corporators ~~shall~~ include: ~~Municipal~~ municipal and county government; councils of government; local and area development corporations; regional planning commissions; development districts; state agencies; higher educational facilities, including the components of the state university system, the Maine Maritime Academy, private colleges and ~~post-secondary~~ postsecondary schools, and technical colleges; and such other public or quasi-public entities as may be approved by the directors of the foundation.

Sec. 3. 10 MRSA §919, as enacted by PL 1977, c. 548, §1, is repealed and the following enacted in its place:

§919. Board of directors; officers

The Board of Directors of the Maine Development Foundation, referred to in this chapter as the "board of directors," consists of a minimum of 15 directors elected or appointed to serve in that capacity in accordance with this section. The board of directors shall annually determine the number of directors for the succeeding year. The corporators shall elect 1/2 of the elected directors from among the private sector corporators and 1/2 of the elected directors from among the public sector corporators. The Governor shall appoint 2 directors from among the ex officio corporators. Except for the president of the Maine Development Foundation, a person may not serve as a director for more than 5 years in succession. The corporators shall elect a chair, a vice-chair and a treasurer from among the board of directors. The board of directors shall appoint a president of the Maine Development Foundation. The president may not be appointed from among the other directors. Upon appointment, the president becomes a director and the chief executive officer of the Maine Development Foundation.

See title page for effective date.

CHAPTER 663

H.P. 1613 - L.D. 2239

An Act to Amend the Law Concerning Tax Base Sharing

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

Sec. 1. 30-A MRSA §5752, sub-§§1 and 3, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, are further amended to read:

1. Agreement. Any 2 or more municipalities may, by a vote of their legislative bodies, enter into an agreement to share all or a specific part of the commercial, industrial or residential assessed valuation located within their respective communities. Municipalities that vote to enter into an agreement pursuant to this section are not required to have borders that are contiguous.

3. Administration. The shared valuation ~~shall~~ must be assessed in the municipality in which the property is located. It ~~shall~~ must be taxed at the rate applicable in that municipality. The tax so assessed ~~shall~~ must be collected by the municipality in which the property is located and the share of that tax, as

specified in the tax base sharing agreement, shall must be remitted within 15 days after collection to the other municipality or municipalities on the basis of the terms of the agreement to which they are parties. The municipality in which the property is located may be authorized by the tax base sharing agreement to make payments due to the other municipality or municipalities that are parties to the agreement to another party or entity. Payments to another party or entity must be for purposes that have a general public benefit.

See title page for effective date.

CHAPTER 664

S.P. 568 - L.D. 1725

An Act to Authorize School Administrative Units to Enter into Multi-year Agreements for Telecommunications Services

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

Sec. 1. 20-A MRSA §15915-A is enacted to read:

§15915-A. Telecommunications service agreements

1. Service agreements. The governing bodies of school administrative units and applied technology regions are authorized to enter into agreements for not more than 10 years with private entities such as telecommunications service providers to purchase telecommunications services, including services for interactive audio and visual communication and transmission of data for educational purposes.

2. Interlocal agreements. The governing bodies of school administrative units and applied technology regions are authorized to enter into interlocal agreements in accordance with Title 30-A, chapter 115 and may organize or cause to be organized joint boards and legal entities including public nonprofit corporations under Title 13, chapter 81 and Title 13-B to purchase telecommunications services and to acquire customer premise telecommunications, as defined by the Public Utilities Commission, and related technology equipment.

3. Legal and tax status. The interlocal agreement must provide for appointment or election of each member of a joint board or governing body of a legal entity formed under this section by the governing body of one or more of the constituent members of the interlocal agreement. The joint board or governing body of the legal entity formed may purchase telecommunications services and acquire, purchase, lease and lease-purchase customer premise telecommunica-

tions and related technology equipment on behalf of the constituent members of the interlocal agreement. Customer premise telecommunications and related technology equipment acquired by the joint board or governing board of the legal entity formed are deemed to be public school property for all purposes. A lease-purchase agreement for customer premise telecommunications and related technology equipment constitutes a proper public purpose and the interest or interest component of income derived from the lease-purchase agreement is exempt from taxation in this State. The net earnings of the joint board or governing body of the legal entity formed may not inure to the benefit of any private person. If the joint board or legal entity formed is dissolved, the distribution of all property owned by the joint board or legal entity formed must be determined by the joint board or governing body of the legal entity formed and may not inure to the benefit of any private person.

See title page for effective date.

CHAPTER 665

H.P. 1500 - L.D. 2122

An Act to Support the Long-term Care Steering Committee

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

Sec. 1. 5 MRSA §12004-I, sub-§47-D is enacted to read:

<u>47-D.</u>	<u>Long-term</u>	<u>Legislative</u>	<u>22 MRSA</u>
<u>Human</u>	<u>Care</u>	<u>Per Diem</u>	<u>§5107-B</u>
<u>Services</u>	<u>Steering</u>		
	<u>Committee</u>		

Sec. 2. 22 MRSA §5107-B, sub-§§3 and 4, as enacted by PL 1995, c. 696, Pt. B, §5, are amended to read:

3. Meetings. By July 1, 1996, the Governor shall convene the first meeting of the committee, at which the members shall elect a chair from among themselves. The committee shall meet at least once each month. Each year the committee may conduct regional hearings on long-term care issues.

4. Reimbursement. Members of the committee are entitled to receive reimbursement for travel to meetings compensation as provided in Title 5, chapter 379 upon application to the Department of Human Services, which must fund these and all related