

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

may not receive any lump-sum payment provided in section 4 of this Part.

PART B

Sec. B-1. Transfer from salary plan. The salary plan program in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and the approval of the Governor to be used for the implementation of the collective bargaining agreement for state employees in fiscal year 1996-97, fiscal year 1997-98 and fiscal year 1998-99.

Sec. B-2. Carrying clause. Any balances remaining in the General Fund and the Highway Fund salary plan accounts in the Department of Administrative and Financial Services may not lapse but must be carried forward to June 30, 1999 to be used for the purposes of this Act.

Sec. B-3. Authorization for reimbursement of costs associated with contract resolution. The Department of Administrative and Financial Services may be reimbursed from the special accounts funded by this Act for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and negotiation procedures.

Sec. B-4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1996-97	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF			
Salary Plan			
Personal Services	\$56,000	\$62,000	\$126,000

Sec. B-5. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1996-97	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF			
Salary Plan			
Personal Services	\$168,000	\$93,000	\$189,000

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

Effective May 15, 1997.

CHAPTER 24

H.P. 795 - L.D. 1083

An Act to Amend the Charter of the Lucerne-in-Maine Village Corporation

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

Sec. 1. P&SL 1927, c. 43, §7-A, 5th ¶, as enacted by P&SL 1983, c. 42, §7, is amended to read:

Commencing at the 1984 summer meeting and for even-numbered years thereafter, a nonresident voter shall be elected to serve a 3-year term as overseer. Commencing at the 1985 summer meeting and for odd-numbered years thereafter, a resident voter shall be elected to serve a 3-year term as an overseer. Commencing at the 1997 summer meeting and for each year after the 1997 summer meeting, any legal voter of the village corporation may be elected for a 3-year term as an overseer if the election of that overseer does not place all resident or nonresident overseers in office at the same time. A person may run for the office of overseer for as many terms as that person is nominated. At the first Board of Overseers' meeting following each summer meeting, they shall choose a ~~chairman~~ chair for the ensuing year.

See title page for effective date.

CHAPTER 25

H.P. 608 - L.D. 833

An Act to Amend the Charter of Foxcroft Academy

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

Whereas, the dissolution of the joint board comprised of representatives of the local school administrative district board and the Trustees of Foxcroft Academy has returned full responsibility for the oversight of Foxcroft Academy to the Trustees of Foxcroft Academy; and

Whereas, recent initiatives to develop a long-range strategic plan, enhance the academy's educa-

tional program and launch an ambitious annual giving and endowment campaign have dramatically increased the workload required of the existing members of the board of trustees; and

Whereas, it is necessary to expand the membership of the board of trustees as soon as possible to continue to make progress and attract the caliber of board members who are necessary to maintain Foxcroft Academy's strong academic reputation; 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. P&SL 1823, c. 185, §2 is amended to read:

Sect. 2. Trustees may remove any of their number when incapable, &c. and fill vacancies; number and quorum. That said Trustees may, at any time, remove any one of their number, whom they shall adjudge incapable of discharging such trust, and choose additional Trustees, and fill vacancies in said Board, by Ballot: Provided however, That the number of said Trustees shall, at no time, be less than nine, nor more than ~~five~~ twenty-one; and five of whom shall constitute a quorum.

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

Effective May 15, 1997.

CHAPTER 26

S.P. 210 - L.D. 669

An Act Relating to Value of Property Held by Portland Yacht Club

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

Sec. 1. P&SL 1878, c. 69, §2, as amended by P&SL 1959, c. 7, is repealed.

See title page for effective date.

CHAPTER 27

H.P. 253 - L.D. 317

An Act Relating to the State Valuation of the Town of Corinna

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

Whereas, the Town of Corinna faces serious fiscal difficulties as a result of the closing of Eastland Woolen Mills and its affect on the tax base; and

Whereas, the valuation of the Town of Corinna needs to be adjusted before school subsidies, state-municipal revenue sharing and the county tax assessment are established before June 30, 1997; 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. Modify 1997 and 1998 state valuations. Notwithstanding any other provision in the Maine Revised Statutes, Title 36, the 1997 and 1998 state valuations for the Town of Corinna for the purposes of calculating county taxes, school subsidies and state-municipal revenue sharing must be based on a valuation that values the property of Eastland Woolen Mills in the Town of Corinna at \$0.

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

Effective May 16, 1997.