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

of the 120th Legislature by December 15, 2000; and be it further

Sec. 4. Annual Assembly of the Governors and Chiefs. Resolved: That the Maine Indian Tribal-State Commission shall convene an annual Assembly of Governors and Chiefs, including the Governors of the State of Maine and the Passamaquoddy Tribe and the Chiefs of the Penobscot Nation, Houlton Band of Maliseets and Aroostook Band of Micmacs.

See title page for effective date.

CHAPTER 46

H.P. 1027 - L.D. 1444

Resolve, to Designate an East-West Highway and Install Signs on that Highway

Sec. 1. Designate the East-West Highway; install signs. Resolved: That the Department of Transportation shall designate the following roads in Maine as the East-West Highway and install signs indicating these roads as one highway: Route 9 from Calais to Bangor, Interstate 95 from Bangor to Newport and Route 2 from Newport to Rumford to New Hampshire.

See title page for effective date.

CHAPTER 47

S.P. 469 - L.D. 1471

Resolve, Regarding Legislative
Review of Chapter 502: Direct
Watersheds of Waterbodies Most at
Risk from New Development, and
Sensitive or Threatened Regions or
Watersheds, a Major Substantive
Rule of the Department of
Environmental Protection, Bureau of
Land and Water Quality

Sec. 1. Adoption. Resolved: That final adoption of Chapter 502: Direct Watersheds of Waterbodies Most at Risk from New Development, and Sensitive or Threatened Regions or Watersheds, a provisionally adopted major substantive rule of the Department of Environmental Protection, Bureau of Land and Water Quality, submitted to the Legislature

for review pursuant to the Maine Administrative Procedure Act, is authorized.

See title page for effective date.

CHAPTER 48

H.P. 1330 - L.D. 1880

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1997

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

Whereas, Androscoggin County has certain expenses and liabilities that must be met as they become due; and

Whereas, it is necessary that the taxes for the year 1997 be immediately assessed in order to provide the required revenue for the county; 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. Androscoggin County; taxes apportioned. Resolved: That the following sum is granted as a tax on Androscoggin County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized in this resolve, and for other purposes of law, for the calendar year 1997:

1997 TAX

\$4,636,447

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums,

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based on the county budget filed in the office of the
Secretary of State, are authorized as General Fund
expenditures by the county during the calendar year
1997, in the specific total amounts of expenditures for
personal services, contractual services, commodities
and capital expenditures for each account in the
county budget:

APPROPRIATION
ACCOUNT
NUMBER

APPROPRIATIONS

1005 - Superior Court Contractual Services	\$10,000
1010 - Emergency Management Agency Personal Services Contractual Services Commodities Capital Expenditures	95,550 4,370 1,450 300
1015 - District Attorney Personal Services Contractual Services Commodities Capital Expenditures	141,214 18,125 9,200 2,600
1018 - District Attorney - Joint Budget Contractual Services Commodities	3,600 550
1019 - District Attorney - Victim/Witness O Personal Services	Grant 12,090
1020 - County Commissioners Personal Services Contractual Services Commodities	61,306 18,020 850
1025 - County Treasurer Personal Services Contractual Services Commodities	75,961 5,797 1,650
1040 - County Buildings Personal Services Contractual Services Commodities	46,228 293,136 33,800
1050 - Jail - Support of Prisoners Personal Services Contractual Services Commodities Capital Expenditures	1,431,380 368,300 226,150 19,000
1051 - Pretrial Services Personal Services	37,230
1055 - Juvenile Program Personal Services	65,000
1065 - Register of Deeds	

Personal Services Contractual Services Commodities	121,179 92,638 3,700	
1070 - Register of Probate Personal Services Contractual Services Commodities Capital Expenditures	76,321 21,100 1,200 3,000	
1075 - Sheriff Personal Services Contractual Services Commodities Capital Expenditures	696,766 89,450 32,400 49,700	
1090 - Auditing Contractual Services	9,500	
1095 - Debt Service Contractual Services	445,000	
2000 - Interest Contractual Services	425,818	
2005 - Twin County Extension Service Contractual Services	45,000	
2020 - Time and Tide RC&D Contractual Services	1,500	
2025 - Employee Benefits Contractual Services: Blue Cross/Blue Shield Unemployment Compensation Maine State Retirement System FICA	493,741 10,000 305,731 216,900	
2035 - Soil Conservation Contractual Services	12,500	
2040 - Duplicating Department Contractual Services Commodities	1,000 1,000	
2050 - Volunteer Firefighters Insurance Contractual Services	1,023	
2080 - Contingency Account	25,000	
2085 - Credit Reserve Account	214,440	
TOTAL GENERAL FUND	\$6,378,464	
; and be it further		
	TO 1 C'	

Sec. 3. Summary. Resolved: That the figures appearing in this resolve represent the total amount of taxes and the total specific expenditures authorized for the calendar year 1997. The following is a summary of revenues and appropriations:

Total Appropriations

\$6,378,464

Available Credits:

Estimated Revenue \$1,234,515 Community Corrections 352,230 Transfer from Surplus 55,272

Total Available Credits

1,742,017

Amount to be raised by taxation

\$4,636,447

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

Effective May 31, 1997.

CHAPTER 49

S.P. 499 - L.D. 1561

Resolve, to Examine the Impact of Federal Devolution Decisions on Municipalities and Other Local Agencies

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

Whereas, due to decisions at the federal levels increasing governmental responsibilities and duties are being delegated to state and local levels of government; and

Whereas, reductions in the levels of funding for many federal programs have resulted in significantly fewer federal dollars flowing to states and localities just as responsibilities are increasing for those levels of government; and

Whereas, decisions to delegate governmental responsibilities by higher levels of government may ultimately force municipalities and local and regional agencies to accept additional responsibilities and reduced funding with no possibility of passing those new responsibilities on to others; and

Whereas, it is vitally important that an organized effort be put in place to assist municipal and regional agencies to begin to plan for the impact of federal devolution decisions; 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 preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Governor's Municipal Advisory Council to examine the impact of federal decisions devolution on municipalities. **Resolved:** That the Governor's Municipal Advisory Council, established pursuant to Executive Order No. 14 FY 1986-87, and referred to in this resolve as "the council" as part of its deliberations shall examine the direct and indirect impacts of the delegation of federal responsibilities and reduction in federal funding levels on municipalities and regional and local agencies and programs. The Department of Administrative and Financial Services, Bureau of the Budget and the Executive Department, State Planning Office shall assist the council in its examination; and be it further

Sec. 2. Report. Resolved: That the council shall report to the Legislature by February 1, 1998 on its findings, recommendations and any necessary implementing legislation; and be it further

Sec. 3. Staff. Resolved: That the State Planning Office shall provide staff support for the council for the purposes provided in this resolve.

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

Effective June 9, 1997.

CHAPTER 50

H.P. 1255 - L.D. 1782

Resolve, Authorizing the Transfer of Land from the State to the Freeman Ridge Cemetery Association

Sec. 1. Transfer of land. Resolved: That the State shall transfer to the Freeman Ridge Cemetery Association, Inc. a parcel of land described as follows: A certain lot or parcel of land, located in the deorganized Town of Freeman, County of Franklin, at the junction of the Freeman Ridge and Ramsdell Hill roads, known as the Freeman Ridge Cemetery and School House lot, and is bounded and described to wit: commencing at an iron pin on the northerly side of the Ramsdell Hill Road 276 feet east of the southwest corner of lot #17 range L; thence northwesterly a distance of 84 feet to a cement post; thence northeasterly a distance of 203 feet to a cement post; thence southeasterly a distance of 138.75 feet to an iron pin; thence southwesterly a distance of 69' 11.5" to an iron pin; thence southeasterly a distance of 69' 11.5" to the Freeman Ridge Road; thence along the