

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

1090 - Auditing	
Contractual Services	4,000
1095 - Debt Service	
Contractual Services:	
Tax Anticipation Notes	87,500
Bond (Principal and Interest)	886,775
Legal Services	6,500
2005 - Extension Services	
Contractual Services	28,125
2025 - Employee Benefits	
Contractual Services:	
Health Insurance	520,250
Unemployment	28,500
Retirement	25,000
Deferred Compensation	177,000
Social Security	253,500
Workers' Compensation	140,000
2040 - County Copier	
Contractual Services	500
2045 - Program Grants	
Contractual Services:	
Soil and Water	3,500
Kennebec Valley Council of Governments	2,500
2050 - Insurance	
Contractual Services	108,500
2075 - Property Improvement	
Capital Expenditures	27,000
2090 - Miscellaneous	
Contractual Services:	
Association Dues	550
Contingency	40,000

TOTAL GENERAL FUND \$6,864,258

; and be it further

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	\$6,864,258
Available Credits:	
Estimated Revenue	\$1,390,167
Community Corrections	225,000
Surplus Transfer	300,000

Total Available Credits	\$1,915,167
Amount to be Raised by Taxation	<u>\$4,949,091</u>

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

Effective June 9, 1997.

CHAPTER 56

H.P. 479 - L.D. 650

Resolve, Authorizing the Transfer of a Parcel of Land in Webster Plantation to Hazen and Theo Jipson

Sec. 1. Conveyance of land authorized. Resolved: That the Director of the Bureau of Parks and Lands shall by quitclaim deed convey to P. Hazen Jipson and Theo E. Jipson of Webster Plantation the following property:

1. The 2nd parcel of land described in a deed from Perry T. Barker, Administrator of the Estate of Aggie E. Tucker, late of Springfield, to P. Hazen Jipson and Theo E. Jipson dated July 16, 1963, recorded in the Penobscot County Registry of Deeds, Book 1902, Page 365, said parcel containing 15 acres, more or less.

See title page for effective date.

CHAPTER 57

H.P. 1174 - L.D. 1651

Resolve, Directing the Department of Environmental Protection to Study and Make Recommendations on the Establishment of a Motor Vehicle Inspection and Maintenance Program to Meet the Requirements of the Federal Clean Air Act

Sec. 1. Study. Resolved: That the Commissioner of Environmental Protection shall study options for complying with the requirements of the federal Clean Air Act relating to a motor vehicle inspection and maintenance program in the State; and be it further

Sec. 2. Recommendations; report. Resolved: That the commissioner shall submit a report of the commissioner's findings and recommendations to the Legislature by January 5, 1998.

The report must include at least 2 proposals for a motor vehicle inspection and maintenance program. The proposals must include the following.

1. Each proposal must address the following elements: geographic coverage, network type, test frequency, model year coverage, vehicle type coverage, exhaust emission test type, emission standards and emission control device inspections.

2. One of the proposals must include the following program components: statewide coverage and testing of light duty motor vehicles at the time of the existing annual safety inspection.

3. One proposal must include coverage of heavy duty diesel-powered vehicles. In developing a proposal for testing these vehicles, the commissioner shall consider both roadside testing and annual testing at the time of inspection.

4. Each of the proposals must include recommendations for addressing the needs of low-income vehicle owners for whom the inspection fee and repair costs may pose an unreasonable economic burden.

5. Each of the proposals must specify a time frame for implementation that provides adequate time for public education and a pilot program.

In addition to the proposals for a motor vehicle inspection and maintenance program, the report must include a recommendation as to whether an alternative strategy or program can be used, alone or in conjunction with a motor vehicle inspection and maintenance program, to achieve compliance with federal requirements through the United States Environmental Protection Agency's Project XL program, defined at 60 Federal Register, 27,282(1995). In studying the Project XL program, the commissioner shall consider, but is not limited to, strategies to reduce vehicle miles traveled in passenger cars and trucks.

In developing the proposals, the commissioner shall solicit input from the public. The Commissioner of Public Safety and the Secretary of State shall work with the commissioner in developing the proposals.

In the report, the commissioner shall rank the proposals and provide a justification for the rankings, including a description of environmental benefits and estimated costs to vehicle owners and station owners.

The commissioner shall also make a recommendation on the feasibility of including in any new motor vehicle inspection and maintenance program a method of providing credits toward the program requirements to motor vehicle owners who incurred costs under the repealed emission inspection program pursuant to the Maine Revised Statutes, Title 38, former chapter 28; and be it further

Sec. 3. Interim updates. Resolved: That the commissioner shall meet with the Joint Standing Committee on Natural Resources or a subcommittee appointed by the chairs at least twice between July 1, 1997 and December 1, 1997 to update and consult with the committee on the progress of the study; and be it further

Sec. 4. Legislation. Resolved: That the Joint Standing Committee on Natural Resources is authorized to report out legislation relating to a motor vehicle inspection and maintenance program or a Project XL program during the Second Regular Session of the 118th Legislature.

See title page for effective date.

CHAPTER 58

H.P. 487 - L.D. 658

Resolve, Requiring the Department of Human Services to Establish a Maximum Contaminant Level for MTBE

Sec. 1. Drinking water rules. Resolved: That the Commissioner of Human Services shall adopt rules establishing a maximum contaminant level for methyl tert-butyl ether, MTBE. The rules are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A and must be provisionally adopted and submitted to the Legislature for review no later than February 1, 1998. Notwithstanding Title 5, section 8072, subsection 3, those rules must be reviewed under Title 5, section 8072, subsections 4 and 5 by the joint standing committee of the Legislature having jurisdiction over natural resources matters.

See title page for effective date.

CHAPTER 59

H.P. 1098 - L.D. 1541

Resolve, Directing the Department of Human Services to Apply for a Waiver to Enable People with Disabilities to Purchase Medicaid Health Insurance

Sec. 1. Department of Human Services to apply for a waiver. Resolved: That by January 1, 1998, the Department of Human Services shall apply to the Federal Government for a waiver to permit funding under the federal Medicaid program for benefits under this resolve. Under the waiver, the