

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

rule may not require or permit any regional site-employed provider to serve as a member of a regional provider advisory board, except that a site-employed provider serving on a regional provider advisory board on the effective date of this resolve may continue to serve in that capacity until July 1, 1999; and be it further

Sec. 2. Department report. Resolved: That the Department of Education shall report to the joint standing committee of the Legislature having jurisdiction over educational matters on its experience implementing the rule authorized in this resolve and the impact of the rule not later than February 1, 1999.

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

Effective April 1, 1998.

CHAPTER 107

H.P. 992 - L.D. 1372

Resolve, Directing the Judicial Department to Develop Recommendations to Implement Court Unification

Sec. 1. Convene task force. Resolved: That the Chief Justice of the Supreme Judicial Court shall convene a task force to develop recommendations to implement the unification of the Superior and District Courts. The Chief Justice shall select the task force membership, which may include:

1. District Court judges;
2. Superior Court justices;
3. Supreme Judicial Court justices;
4. Court clerks;
5. District attorneys;
6. Legal services representatives;
7. Maine State Bar Association members;
8. Maine Trial Lawyers Association members;
9. Public members; and
10. Any other interested parties; and be it further

Sec. 2. Reports. Resolved: That the task force submit periodic reports to the Chief Justice of the Supreme Judicial Court. The Chief Justice shall submit to the joint standing committee of the Legisla-

ture having jurisdiction over judiciary matters an interim report by March 15, 1999 and a final report by December 15, 1999, including any necessary legislation; and be it further

Sec. 3. Drafting assistance. Resolved: That, upon request, the Legislative Council shall provide staff to assist in drafting legislation; and be it further

Sec. 4. Compensation. Resolved: That the members of the task force shall serve without per diem or expenses.

See title page for effective date.

CHAPTER 108

H.P. 1667 - L.D. 2290

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1998

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, Kennebec 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 1998 mentioned 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. Kennebec County; taxes apportioned. Resolved: That the following sum is granted as a tax on Kennebec 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 1998:

1998 TAX

\$5,043,409

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums, 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 1998, 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	\$16,100
1010 - Emergency Management Agency	
Personal Services	20,975
Contractual Services	5,210
Commodities	1,750
1015 - District Attorney	
Personal Services	220,992
Contractual Services	68,964
Commodities	14,700
Capital Expenditures	20,000
1020 - County Commissioners	
Personal Services	54,004
Contractual Services	7,400
Commodities	1,750
1025 - County Treasurer	
Personal Services	32,126
Contractual Services	4,775
Commodities	2,900
Capital Expenditures	500
1040 - Court House	
Personal Services	73,946
Contractual Services	88,405
Commodities	26,650
Capital Expenditures	7,395
1050 - Jail	
Personal Services	1,930,881
Contractual Services	495,869
Commodities	264,600
Capital Expenditures	43,147
1065 - Register of Deeds	

Personal Services	165,428
Contractual Services	229,000
Commodities	12,800
1070 - Register of Probate	
Personal Services	140,316
Contractual Services	34,123
Commodities	12,900
Capital Expenditures	8,500
1075 - Sheriff	
Personal Services	1,005,267
Contractual Services	119,576
Commodities	30,618
Capital Expenditures	97,741
1090 - Auditing	
Contractual Services	28,000
1095 - Debt Service	
Contractual Services:	
Tax Anticipation Notes	104,000
Bond (Principal and Interest)	856,907
Legal Services	6,500
2005 - Extension Services	
Contractual Services	28,125
2025 - Employee Benefits	
Contractual Services:	
Health Insurance	550,000
Unemployment	25,000
Retirement	23,000
Deferred Compensation	195,000
Social Security	265,000
Workers' Compensation	115,000
2040 - County Copier	
Contractual Services	1,800
2045 - Program Grants	
Contractual Services:	
KCVCOG	3,000
Soil and Water	3,500
2050 - Insurance	
Contractual Services	105,500
2075 - Property Improvement	
Capital Expenditures	45,000
2090 - Miscellaneous	
Contractual Services:	
Association Dues	550
Contingency	40,000

TOTAL GENERAL FUND \$7,655,190

; 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 1998. The following is a summary of revenues and appropriations:

Total Appropriations	\$7,655,190
Available Credits:	
Estimated Revenue	\$1,456,500
Community Corrections	890,281
Surplus Transfer	265,000
Total Available Credits	\$2,611,781
Amount to be Raised by Taxation	\$5,043,409

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

Effective April 2, 1998.

CHAPTER 109

H.P. 1668 - L.D. 2291

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Androscoggin County for the Year 1998

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 1998 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 1998:

1998 TAX

\$4,542,675

; and be it further

Sec. 2. General Fund expenditures authorized. Resolved: That the following sums, 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 1998, 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	96,690
Contractual Services	4,325
Commodities	2,200
Capital Expenditures	0
1015 - District Attorney	
Personal Services	140,513
Contractual Services	18,475
Commodities	11,000
Capital Expenditures	8,500
1018 - District Attorney - Joint Budget	
Contractual Services	4,400
Commodities	550
1019 - District Attorney - Victim/Witness Grant	
Personal Services	12,440
1020 - County Commissioners	
Personal Services	62,721
Contractual Services	17,550
Commodities	850
Capital Expenditures	4,000
1025 - County Treasurer	
Personal Services	75,389
Contractual Services	6,307
Commodities	1,800
Capital Expenditures	1,000
1040 - County Buildings	
Personal Services	46,458
Contractual Services	272,215
Commodities	34,300
Capital Expenditures	30,000