

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

Finance Authority of Maine, the Maine State Retirement System and the Maine Turnpike Authority. In addition, the Chancellor of the University of Maine System and the President of the Maine Technical College System each shall appoint an advisory member to ensure that the needs of state institutions of higher education are known and to encourage the development of compatible information systems and the sharing of information and technologies between educational institutions and agencies of State Government.

3. Terms of office. The voting and advisory members representing state agencies of the Legislature, the Judiciary, the University of Maine System, and the Maine Technical College System and the office of the Governor shall serve for a period that coincides with the term of appointment to the agency they represent or to the term designated by the appointing authority, unless revoked sooner by the appointing authority. The members of the private sector serve 3-year terms, except that the initial term of one member is 2 years and the initial term of the other members is 3 years.

4. Expenses and compensation. All members are entitled to reimbursement for expenses in accordance with chapter 379. Members representing state agencies, the Executive ~~Office~~ Department, the Legislature, the University of Maine System, the Maine Technical College System and the Judiciary are reimbursed for expenses from the budgets of the departments they represent.

A. The members of the board are not entitled to compensation.

5. Chair. The chair of the board is appointed by the Governor from the Executive Department, ~~except that the commissioner of the department in which the Bureau of Information Services is located is not eligible to chair the board.~~

6. Meetings. The board shall meet at least 4 times a year and whenever convened by the chair.

Sec. 7. 5 MRSA §1893, sub-§§3, 4 and 6, as amended by PL 1989, c. 857, §39, are amended to read:

3. Develop strategic and departmental planning process. The board shall assist the deputy commissioner in the development of the strategic and departmental planning process as defined in subchapter II.

4. Investigate and establish priorities. The board, with the deputy commissioner, shall investigate and establish priorities within the scope of the strategic and departmental planning process. For the

purpose of this subsection, the priorities are goals and objectives with associated target dates.

6. Provide for regular review. The board with the ~~deputy~~ commissioner shall provide for a regular review of information processing and telecommunications operations in State Government and make recommendations to the Governor, commissioner and other affected agency heads for improving service and efficiency and for reducing costs.

Sec. 8. Transition provision. Members of the Information Services Policy Board within the Executive Department who were appointed under the Maine Revised Statutes, Title 5, section 1892 prior to the effective date of this Act and whose membership is affected by this Act shall continue to serve on the board until their current terms expire. Newly created board and advisory membership positions must be filled at the convenience of the appointing authorities.

See title page for effective date.

CHAPTER 166

S.P. 372 - L.D. 1073

An Act to Relate the State Liquor Tax to the Amount Transferred to the General Fund

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

Sec. 1. 28-A MRSA §1651, sub-§1, as amended by PL 1997, c. 24, Pt. L, §5, is further amended to read:

1. State liquor tax. Except as provided in subsection 2, the commission shall determine and set the list price at which to sell all spirits and fortified wine that will produce an aggregate state liquor tax sufficient to pay all liquor-related expenses of the Bureau of Alcoholic Beverages and Lottery Operations and to return to the General Fund ~~in fiscal year 1998-99 an amount equal to an additional \$3,000,000 above accepted revenue estimates for fiscal year 1998-99~~ an amount substantially equal to the amount of state liquor tax collected in the previous fiscal year. ~~The accepted revenue estimates are those first presented by the Governor during the First Regular Session of the 118th Legislature.~~ With the exception of the discount agency liquor ~~store~~ stores in Kittery and Calais, list prices must be uniform statewide.

C. The commission shall add any cost to the State related to handling containers returned for

refund pursuant to Title 32, section 1863-A to the established price without markup.

See title page for effective date.

CHAPTER 167

S.P. 374 - L.D. 1075

An Act to Continue Restorative Justice

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

Whereas, both the community resolution teams for juvenile offenders and community reparation boards for adult offenders as restorative justice sentencing alternatives will be repealed on May 1, 1999; and

Whereas, unless this Act is made an emergency, the law that created the sentencing alternatives will be repealed before the Act takes effect; 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. 15 MRSA §3301, sub-§5-A, ¶E, as enacted by PL 1997, c. 421, Pt. A, §3, is repealed.

Sec. 2. 17-A MRSA §1204-A, sub-§6, as enacted by PL 1997, c. 421, Pt. B, §2, is repealed.

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

Effective May 13, 1999.

CHAPTER 168

H.P. 237 - L.D. 341

An Act to Increase the Amount Retained by Agents Who Sell Hunting and Fishing Licenses

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

Sec. 1. 12 MRSA §7101, sub-§2, as amended by PL 1989, c. 918, Pt. D, §2, is further amended to read:

2. Agent's fee. Clerks or other agents appointed by the commissioner to issue licenses and permits shall charge a fee of ~~\$4~~ \$2 for each hunting license issued. The commissioner shall charge a fee of \$1 for each hunting license issued by department employees.

Sec. 2. 12 MRSA §7151, sub-§2, as amended by PL 1989, c. 918, Pt. D, §3, is further amended to read:

2. Agent's fee. Clerks or other agents appointed by the commissioner to issue licenses shall charge a fee of ~~\$4~~ \$2 for each license issued. The commissioner shall charge a fee of \$1 for each fishing license issued by department employees.

Sec. 3. 12 MRSA §7151, sub-§3, as amended by PL 1995, c. 455, §10, is further amended to read:

3. Application and issuance.

C. Any resident who procures a one-day or 3-day fishing license may exchange it for an annual resident fishing license or a resident combination hunting and fishing license in the town in which that person resides upon the payment of ~~\$4~~ \$2 to the clerk or issuing agent and the difference between the fee for the one-day or 3-day license and the fee for the annual license.

D. A 15-day nonresident license may be exchanged for an annual nonresident license upon the additional payment of \$12, the difference between the 15-day license and the annual license, for the license and ~~\$4~~ \$2 to the clerk or issuing agent.

See title page for effective date.

CHAPTER 169

S.P. 729 - L.D. 2079

An Act to Improve the State Budgeting Process

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

Sec. 1. 36 MRSA §112, sub-§11 is enacted to read:

11. Report to the Legislature. The State Tax Assessor shall report by November 1st each year to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs