

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

meeting called and held for the purpose not later than December 31, 1999. The meeting must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters of the Town of Fort Kent is not required to prepare or the clerk to post a new list of voters. For the purposes of registration of voters, the registrar of voters in the Town of Fort Kent must be in session the secular day next preceding the election. The subject matter of this Act must be reduced to the following question:

"Do you favor the dissolution of the Fort Kent Utility District and the transfer of the district's assets to the Town of Fort Kent?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Fort Kent and due certificate of the results filed by the town clerk with the Secretary of State.

This Act takes effect for all the purposes immediately upon acceptance by a majority of the legal voters voting at the meeting only if the total number of votes cast for and against the acceptance of this Act at the meeting equal or exceed 15% of the total vote for all candidates for Governor cast in the Town of Fort Kent at the next preceding gubernatorial election, but failure of approval by the necessary percentage of voters at any meeting does not prohibit a subsequent meeting or meetings to be held for the purpose on or before July 1, 2000.

Effective pending referendum.

CHAPTER 25

H.P. 1311 - L.D. 1872

An Act to Establish Municipal Cost Components for Unorganized Territory Services to be Rendered in Fiscal Year 1999-00

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

Whereas, prompt determination and certification of the municipal cost components in the unorganized territory district are necessary to the establishment of a mill rate and the levy of the unorganized territory educational and services tax; 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. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 1999-00 is as follows.

Audit - Fiscal Administration	\$108,207
Education	9,584,708
Forest Fire Protection	150,000
Human Services - General Assistance	75,610
Property Tax Assessment - Operations	533,947
Maine Land Use Regulation Commission - Operations	163,515
TOTAL STATE AGENCIES	\$10,635,987
County reimbursements for services:	
Aroostook	\$559,693
Franklin	393,092
Hancock	51,136
Kennebec	6,000
Oxford	264,304
Penobscot	708,695
Piscataquis	405,334
Somerset	611,029
Washington	399,785
TOTAL COUNTY SERVICES	\$3,399,068
TOTAL REQUIREMENTS	\$14,035,055
COMPUTATION OF ASSESSMENT	
Requirements	\$14,035,055
Less Deductions:	
General -	
State Revenue Sharing	\$210,000
Miscellaneous Revenues	50,000
Transfer from undesignated fund balance	1,640,208
TOTAL	\$1,900,208
Educational -	

Lands Reserve Trust	\$100,000
Tuition - Travel	200,000
Miscellaneous	1,500
Special - Retirement	150,000
TOTAL	<hr/> \$451,500
TOTAL DEDUCTIONS	<hr/> (\$2,351,708)
TAX ASSESSMENT	<hr/> \$11,683,347

Sec. 2. Use of funds. Of the county reimbursements for services for Hancock County provided in this Act, \$5,000 is for the Eagle Island ferry service.

Sec. 3. Limitation of authority. The county commissioners of Somerset County may not commit more than \$100,000 from amounts made available by this Act for the acquisition of a fire truck for Rockwood.

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

Effective May 21, 1999.

CHAPTER 26

H.P. 297 - L.D. 405

An Act to Require that the State of Maine Comply with Federal Law Requiring Reasonable Efforts

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

Sec. 1. Compliance and report. The Department of Human Services shall comply with 42 United States Code, Chapter 7, Subchapter IV, Part E, as amended. The department shall report the details of the State's compliance status, giving particular attention to the requirements concerning reasonable efforts on the State's part to keep families intact, to the Joint Standing Committee on Judiciary by December 15, 1999.

See title page for effective date.

CHAPTER 27

H.P. 993 - L.D. 1391

An Act to Amend the Charter of the Dover-Foxcroft Water District

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

Whereas, in order to ensure a smooth transfer of the fire prevention systems from the Dover-Foxcroft Water District to the Town of Dover-Foxcroft this legislation must go into effect immediately; 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 1985, c. 107, Pt. B, §2 is repealed.

Sec. 2. P&SL 1985, c. 107, Pt. B, §§4 and 5 are repealed.

Sec. 3. P&SL 1985, c. 107, Pt. B, §6, first ¶ is amended to read:

Sec. 6. Officers and powers. The officers of the corporation shall consist of a supervisor, clerk, treasurer, collector, ~~3~~ assessors, ~~4~~ or more fire wardens and a board of trustees of 3 members, one of whom shall be is designated as chairman chair and such other officers as may be provided for in the bylaws of the district.

Sec. 4. P&SL 1985, c. 107, Pt. B, §6, 2nd ¶ is repealed.

Sec. 5. P&SL 1985, c. 107, Pt. B, §7, last ¶ is amended to read:

The district, at any legal meeting thereof of the district, may make and alter bylaws and ordinances for its government for the efficient management of its water system and properties and of its fire department, including the erection and maintenance of chimneys, regulation of all fires, stoves, pipes and flues in use for the purpose of heating contained in any building, the keeping of ashes, and for the regulation of all such other matters as shall endanger property to destruction by fire or tend to spread fire rapidly; provided that as long as the same are not repugnant to the law of the State; and may enforce the same by suitable penalties equal to the penalties provided in the Maine Revised Statutes, Title 35, chapter 313, to be recovered by action of debt in the name and to the use of the district. No justice in Dover-Foxcroft may be disqualified from trying such actions by reason of his being a member of the district.