

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

facilities in Cumberland County and Washington County.

See title page for effective date.

CHAPTER 18

H.P. 195 - L.D. 273

Resolve, Requiring the Commissioner of Transportation to Report to the Joint Standing Committee on Transportation on Recreational Access to Water Bodies and Snowmobile Access Across Bridges

Sec. 1. Reports in 2001 and 2003. Resolved: That the Commissioner of Transportation shall report in writing to the joint standing committee of the Legislature having jurisdiction over transportation matters in February 2001 and February 2003 on the progress of interagency efforts to address the need for public and recreational access to water bodies at water crossings and properties adjacent to water and snowmobile access across bridges.

See title page for effective date.

CHAPTER 19

S.P. 192 - L.D. 581

Resolve, to Ensure Proper Funding of the Public Utilities Commission

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

Whereas, it is necessary that the Public Utilities Commission have sufficient funds to carry out its statutory obligations; 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. Use of unexpended funds. Resolved: That, notwithstanding the Maine Revised Statutes, Title 35-A, section 116, subsection 5, the Public Utilities Commission may expend in fiscal year 1999-00 and fiscal year 2000-01, for the purposes specified in Title 35-A, section 116, subsection 4, 100% of any unexpended funds remaining at the end

of the prior fiscal year. Treatment of funds not expended at the end of the 2000-01 fiscal year is governed by Title 35-A, section 116, subsection 5; and be it further

Sec. 2. Allocation. Resolved: That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
PUBLIC UTILITIES COMMISSION		
Public Utilities Commission Regulatory Fund		
Personal Services	\$86,950	\$91,300
All Other	(86,950)	(91,300)
Provides funds to continue a limited-period Utility Analyst position related to the gas industry expansion through the 2000-2001 biennium. This position was established by FO 02425 F9, which was approved on 8/18/98.		

PUBLIC UTILITIES COMMISSION TOTAL

\$0

\$0

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

Effective May 4, 1999.

CHAPTER 20

H.P. 1543 - L.D. 2197

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 1999

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 1999 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 1999:

1999 TAX

\$5,141,909

; 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 1999, 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	21,789
Contractual Services	5,294
Commodities	1,800
1015 - District Attorney	
Personal Services	231,413
Contractual Services	74,914
Commodities	17,200
Capital Expenditures	16,000
1020 - County Commissioners	

Personal Services	56,281
Contractual Services	7,600
Commodities	1,750
Capital Expenditures	1,500
1025 - County Treasurer	
Personal Services	30,604
Contractual Services	6,600
Commodities	2,500
Capital Expenditures	2,000
1040 - Facilities Management	
Personal Services	78,478
Contractual Services	85,837
Commodities	22,650
Capital Expenditures	14,145
1050 - Jail	
Personal Services	1,971,339
Contractual Services	451,370
Commodities	336,650
Capital Expenditures	18,047
1065 - Register of Deeds	
Personal Services	171,600
Contractual Services	235,000
Commodities	12,800
1070 - Register of Probate	
Personal Services	149,396
Contractual Services	39,084
Commodities	12,900
Capital Expenditures	2,806
1075 - Sheriff	
Personal Services	1,015,839
Contractual Services	152,464
Commodities	40,845
Capital Expenditures	99,765
1090 - Auditing	
Contractual Services	25,000
1095 - Debt Service	
Contractual Services:	
Tax Anticipation Notes	95,000
Bond (Principal and Interest)	827,038
Legal Services	6,500
2005 - Extension Services	
Contractual Services	28,125
2025 - Employee Benefits	
Contractual Services:	
Health Insurance	600,000
Benefit Reserve	60,000
Unemployment	25,000
Retirement	20,000
Deferred Compensation	180,000
Social Security	280,000
Workers' Compensation	90,000

2040 - County Copier Contractual Services	1,800
2045 - Program Grants Contractual Services: KCVCOG	3,000
Soil and Water	3,500
2050 - Insurance Contractual Services	111,000
2075 - Property Improvement Capital Expenditures	87,490
2080 - Contingency	40,000
2090 - Miscellaneous Contractual Services: Association Dues	550
TOTAL GENERAL FUND	\$7,888,363

; 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 1999. The following is a summary of revenues and appropriations:

Total Appropriations	\$7,888,363
Available Credits:	
Estimated Revenue	\$1,366,977
Community Corrections	974,987
Surplus Transfer	404,490
Total Available Credits	2,746,454
Amount to be Raised by Taxation	\$5,141,909

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

Effective May 10, 1999.

CHAPTER 21

H.P. 636 - L.D. 886

Resolve, to Study Lobster Hatcheries

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

Whereas, it is a goal of the State to enhance the lobster population and ensure a sustainable lobster fishery; and

Whereas, it is in the interest of the State to study the feasibility and cost of establishing lobster hatcheries; and

Whereas, a study must be initiated promptly in order that the study may be completed and a report submitted in time for the next legislative session; 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. Committee established. Resolved: That the Committee to Study the Establishment of Lobster Hatcheries, referred to in this resolve as the "committee," is established; and be it further

Sec. 2. Membership; appointments; chair. Resolved: That the committee consists of 10 members appointed as follows:

1. Seven members representing each of the lobster management zones established under the Maine Revised Statutes, Title 12, section 6446, appointed by the lobster management policy council established for the zone;

2. One member representing the Department of Marine Resources;

3. One scientist, appointed by the Commissioner of Marine Resources. The commissioner shall consider recommendations made by the Lobster Advisory Council; and

4. One public member, appointed by the Commissioner of Marine Resources.

All appointments must be made no later than 30 days following the effective date of this resolve. The committee shall select a chair at its first meeting; and be it further

Sec. 3. Meetings. Resolved: That the Commissioner of Marine Resources shall call and convene the first meeting of the committee no later than June 15, 1999. The committee shall notify the members of the Joint Standing Committee on Marine Resources of each meeting; and be it further

Sec. 4. Duties. Resolved: That the committee shall gather available data and studies relating to lobster hatcheries and examine the feasibility and cost of establishing lobster hatcheries in the State. The committee shall submit a report in accordance with section 7; and be it further

Sec. 5. Staff assistance. Resolved: That the Department of Marine Resources shall provide