

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

ally adopted major substantive rule of the Department of Transportation, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized.

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

Effective March 29, 2000.

CHAPTER 95

H.P. 1867 - L.D. 2603

Resolve, Regarding Legislative Review of Chapter 25: Leashed Tracking Dog License Rules, Major Substantive Rules of the Department of Inland Fisheries and Wildlife

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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. Adoption. Resolved: That final adoption of Chapter 25: Leashed Tracking Dog License Rules, a provisionally adopted major substantive rule of the Department of Inland Fisheries and Wildlife, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized.

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

Effective March 30, 2000.

CHAPTER 96

S.P. 901 - L.D. 2353

Resolve, Relating to the State Valuation for the Town of Milo

Sec. 1. State valuation for Town of Milo.

Resolved: That the Town of Milo may request a reduction in its state valuation under the Maine Revised Statutes, Title 36, section 208-A for the year 2001 based on the reduction in value of the Dexter Shoe Company factory without meeting the percentage reduction in valuation under Title 36, section 208-A, subsection 2, paragraph A.

See title page for effective date.

CHAPTER 97

S.P. 890 - L.D. 2309

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Transfer or Acquire Property or Interests in Property at the Maine Criminal Justice Academy, Oak Grove Coburn School in Vassalboro and Maine State Prison in Thomaston

Sec. 1. Definitions. Resolved: That as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. "Commissioner" means the Commissioner of Administrative and Financial Services.

2. "State property" means the following property, together with the buildings and improvements, all appurtenant rights and easements and all personal property located on the property, including vehicles, machinery, equipment and supplies:

A. The Oak Grove Coburn School property, Vassalboro, Kennebec County Registry of Deeds, Book 3976, Page 35 and Book 4153, Page 326;

B. The Maine Criminal Justice Academy, Waterville; and

C. The Maine State Prison, Thomaston; and be it further

Sec. 2. Authority to acquire interests in real property. Resolved: That the State, by and through the commissioner, may acquire title to rights-of-way, easements and other interests in real property

that, in the commissioner's discretion, contribute to the value of the state property; and be it further

Sec. 3. Authority to release interest. Resolved: That the commissioner may release any interests in state property or rights or easements held by the State in adjacent or nearby land if, in the commissioner's discretion, they do not contribute to the value of the remaining state property; and be it further

Sec. 4. Transfer interests. Resolved: That the commissioner may transfer nonfee interests, such as easements or rights-of-way, in property held in fee by the State or any of its agencies if, in the commissioner's discretion, the interests in property no longer contribute to or the transfer does not detract from the value of the property held in fee by the State or any of its agencies; and be it further

Sec. 5. Acquire interests in property. Resolved: That the commissioner may acquire nonfee interests, such as easements or rights-of-way, in property that will benefit property held in fee by the State or any of its agencies if, in the commissioner's discretion, the interests in property contribute to the value of the property held in fee by the State or any of its agencies; and be it further

Sec. 6. Repeal. Resolved: That this resolve is repealed 3 years after its effective date.

See title page for effective date.

CHAPTER 98

H.P. 1833 - L.D. 2569

Resolve, to Authorize the Waldo County Commissioners to Borrow not more than \$600,000 to Build a Waldo County Communications and 9-1-1 Center

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, Waldo County has limited space to provide for a necessary communications and 9-1-1 system; and

Whereas, the need exists for an expanded, updated communications system in Waldo County; and

Whereas, the county commissioners must begin the necessary preparation for the borrowing of money; and

Whereas, the county commissioners must begin the necessary preparation of the ballot to be presented to voters of Waldo 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. Authorize borrowing of money. Resolved: That the Waldo County commissioners are authorized to borrow and expend a sum not to exceed \$600,000 for construction of a communications and 9-1-1 center located in Waldo County; and be it further

Sec. 2. Referendum for ratification. Resolved: That this resolve must be submitted to the legal voters of Waldo County. The dates of submission must be determined by the Waldo County commissioners but may not be later than 18 months after adjournment of the Second Regular Session of the 119th Legislature. The Waldo County commissioners are authorized to expend the funds necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots on which the county commissioners shall state the subject matter of this resolve in the following question:

"Do you favor authorizing the Waldo County commissioners to borrow an amount not to exceed \$600,000 for construction of a communications and 9-1-1 center in Waldo County?"

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

This resolve takes effect immediately upon its acceptance by a majority of the legal voters voting at the election if the total number of votes cast for and against the acceptance of this resolve equals or exceeds 30% of the total votes for all candidates for Governor cast in the county in the most recent gubernatorial election. If at the first election the total number of votes for and against acceptance of this