

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

Revised Statutes, Title 36, chapter 9. The bureau and the office shall:

1. **Review other states.** Review the procedures used by other states that review tax expenditures;
2. **Tax expenditure review experience in Maine.** Research the original purposes of the State's tax expenditure review laws and the historical experience of the Legislature in conducting the required reviews;
3. **Need for revision.** Identify the current need for and purposes of tax expenditure review and other reports related to taxation matters that are required by law to be submitted to the Legislature;
4. **Provide options.** Identify options for revising the tax expenditure review process and other reporting requirements in a manner that provides the Legislature with timely and accurate information regarding taxation matters and the impact of tax expenditures on state revenues; and
5. **Present information.** Present the information gathered and options identified to the Joint Standing Committee on Taxation by October 1, 2001; and be it further

Sec. 2. Review; legislation. Resolved: That the Joint Standing Committee on Taxation shall review the information and options presented by the bureau and the office and may submit legislation to implement the committee's recommendations to the Second Regular Session of the 120th Legislature; and be it further

Sec. 3. Suspension of current review process. Resolved: That, notwithstanding the Maine Revised Statutes, Title 36, chapter 9, the review required by that chapter to be completed by January 1, 2002 is suspended.

See title page for effective date.

CHAPTER 18

H.P. 1053 - L.D. 1416

Resolve, to Authorize the Development of a New Railroad Bridge on the Union Branch Railroad Line over Back Cove in Portland

Preamble. Whereas, the Maine Revised Statutes, Title 23, section 5071 requires legislative authorization before a railroad may be made across tidewaters where vessels can navigate; now, therefore, be it

Sec. 1. New railroad bridge across Back Cove. Resolved: That the Department of Transportation or the Northern New England Passenger Rail Authority, established pursuant to the Maine Revised Statutes, Title 5, section 12004-F, subsection 16 and Title 23, chapter 621, is authorized to develop and construct a new railroad bridge on the Union Branch Railroad Line, over, upon and across Back Cove in Portland.

See title page for effective date.

CHAPTER 19

H.P. 1309 - L.D. 1772

Resolve, for Laying of the County Taxes and Authorizing Expenditures of Kennebec County for the Year 2001

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 2001 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 2001:

2001 TAX

\$5,666,302

; 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 2001, 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	46,836
Contractual Services	5,860
Commodities	2,000
1015 - District Attorney	
Personal Services	264,940
Contractual Services	93,100
Commodities	20,300
Capital Expenditures	15,000
1020 - County Commissioners	
Personal Services	54,728
Contractual Services	10,200
Commodities	2,000
1025 - County Treasurer	
Personal Services	39,593
Contractual Services	7,300
Commodities	3,200
Capital Expenditures	2,500
1040 - Facilities Management	
Personal Services	86,769
Contractual Services	86,770
Commodities	35,750
Capital Expenditures	14,537
1050 - Jail	
Personal Services	2,074,315
Contractual Services	657,105
Commodities	312,885
Capital Expenditures	44,747
1065 - Register of Deeds	
Personal Services	174,126
Contractual Services	245,900

Commodities	12,300
Capital Expenditures	8,000
1070 - Register of Probate	
Personal Services	158,410
Contractual Services	39,526
Commodities	12,940
Capital Expenditures	3,300
1075 - Sheriff	
Personal Services	793,075
Contractual Services	143,720
Commodities	31,120
Capital Expenditures	119,063
1090 - Auditing	
Contractual Services	10,000
1095 - Debt Service	
Contractual Services:	
Tax Anticipation Notes	100,000
Bond (Principal and Interest)	767,038
Legal Services	6,500
2005 - Extension Services	
Contractual Services	30,000
2025 - Employee Benefits	
Contractual Services:	
Health Insurance	665,000
Unemployment	23,000
Retirement	14,000
Deferred Compensation	200,000
Social Security	295,000
Workers' Compensation	80,200
2040 - County Copier	
Contractual Services	2,000
2045 - Program Grants	
Contractual Services:	
Time and Tide Calc	1,500
Soil and Water	5,000
2050 - Insurances	
Contractual Services	102,000
2075 - Property Improvement	
Capital Expenditures	90,000
2080 - Contingency	50,000
2090 - Miscellaneous	
Contractual Services:	
Association Dues	550
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Kennebec Valley Council of Governments:	
Membership Dues	3,000

TOTAL GENERAL FUND \$8,082,803

; 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 2001. The following is a summary of revenues and appropriations:

Total Appropriations	\$8,082,803
Available Credits:	
Estimated Revenue	\$1,601,971
Community Corrections	396,530
Transfer from Surplus	415,000
Total Available Credits	<u>2,413,501</u>
Amount to be raised by taxation	<u>\$5,669,302</u>

; and be it further

Sec. 4. Other revenues. Resolved: That the county is authorized to expend funds from unexpected grants, unexpected revenues or revenues restricted by law, contract or regulation that may become available to the county during 2001 from federal, state or private sources as long as they are expended pursuant to the Maine Revised Statutes, Title 30-A, section 704; and be it further

Sec. 5. Subsidiary budget. Resolved: That the following sums derived from special revenue accounts and based on the county budget filed in the Department of the Secretary of State are authorized as subsidiary budget expenditures by the county during calendar year 2001:

DEPT NO.	DESCRIPTION	PER COUNTY COMMISSIONERS
3901	Maine Revenue Service	
	Personal Services	\$127,868
	Operational Costs	23,250
	Benefit Costs	42,827
	Total	<u>193,945</u>
3902	Maine Drug Enforcement	
	Personal Services	36,122
	Operational Costs	5,000
	Benefit Costs	13,767
	Total	<u>54,889</u>
3903	Court Security	
	Personal Services	164,667

	Operational Costs	8,600
	Benefit Costs	18,723
	Total	<u>191,990</u>
0036	Thumbs Up	
	Personal Services	12,000
	Operational Costs	8,000
	Total	<u>20,000</u>
0021	Jail Inmate Fund	
	Miscellaneous Expense	80,000
0022	Inmate Telephone Fund	
	Miscellaneous Expense	79,200
0035	OUI Schools	
	Miscellaneous Expense	20,750
	TOTAL SUBSIDIARY BUDGET	<u>\$640,774</u>
	Available Credits	
	Maine Revenue Service	193,945
	Maine Drug Enforcement	54,889
	Court Security	191,990
	Thumbs Up	20,000
	Jail Inmate Fund	80,000
	Jail Telephone Fund	79,200
	OUI Program	20,750
	Total	<u>\$640,774</u>
	EXPENDITURES MINUS REVENUES	<u>\$0</u>

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

Effective May 14, 2001.

CHAPTER 20

H.P. 429 - L.D. 550

Resolve, to Amend the National Guard Education Assistance Pilot Program

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 National Guard is a valuable resource for the State of Maine; and

Whereas, those in service to Maine deserve to be recognized and rewarded for their service; and