

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

of a commitment under this section terminates on entry into the progressive treatment program.

See title page for effective date.

**CHAPTER 320**

**S.P. 333 - L.D. 1016**

**An Act Regarding Residential Care Facilities for Children**

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

**Whereas,** allowing parents to reside in residential child care facilities is needed in the child welfare system to assist families to stay together; 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. 22 MRSA §8107, sub-§4** is enacted to read:

**4. Parents of children receiving services.** Adult parents may reside with their children in a residential child care facility in order to facilitate the care of the child when the department has determined it to be in the best interest of the child.

**Sec. 2. 22 MRSA §8107,** as amended by PL 1989, c. 355, §3, is further amended by adding at the end a new paragraph to read:

The department may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective June 19, 2007.

**CHAPTER 321**  
**S.P. 324 - L.D. 1007**

**An Act To Promote County-based Economic and Community Development**

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

**Sec. 1. 30-A MRSA §125,** as enacted by PL 2003, c. 179, §1, is amended to read:

**§125. Economic and community development**

**1. Budget authority.** Subject to the provisions of chapter 3, subchapter 1, ~~article 6,~~ the county commissioners of ~~Piscataquis County~~ may in each county have the power to raise, appropriate, borrow and expend money for the purposes of county economic and community development, subject to the following provisions and limitations.

A. As used in this section, "county economic and community development" means assisting or encouraging the creation or preservation of new or existing employment opportunities for residents of ~~Piscataquis County~~ a county, or any of its municipalities ~~or unorganized territories,~~ through one or more of the following activities:

- (1) Development of new sites for the physical location, settlement or resettlement of new or expanded manufacturing, fishing, commercial or other business enterprises to be located within the county, including surveying, payment of related costs for surveying, land acquisition, land use and environmental permitting, engineering, legal services and infrastructure development;
- (2) Constructing or financing the development of new community industrial buildings, as defined in Title 5, section 13120-B, to be located within ~~Piscataquis County~~ the county;
- (3) Redevelopment of existing structures located within the county for commercial, industrial or mixed use;
- (4) Construction, financing or operating assistance to necessary publicly owned transportation facilities, including facilities for passenger and cargo transportation;
- (5) Provision of local matching funds for any state or federal transportation project, community development grant or rural development grant to the county or any of its municipalities, intended to achieve purposes substantially similar to those listed in subparagraphs (1) to (4);

(6) Financial participation in any county economic and community development project organized or funded on a regional basis by 2 or more political subdivisions or state or federal agencies participating counties. For this purpose, the county commissioners may provide assistance to a regional project to be located in whole or in part outside of ~~Piscataquis County~~ that county only upon a finding by the commissioners that the project will confer a substantial economic benefit on ~~Piscataquis County~~ the county providing the assistance;

(7) Funding the annual salary and operating expenses of a county economic development officer, development agency or development office subject to approval by a majority vote of the county budget committee or county advisory budget committee; and

(8) Necessary contractual services for any of the purposes stated in this paragraph.

B. All borrowing by the county commissioners for the purposes of this section is subject to the following limitations.

(1) All bonds issued by the county commissioners for the purposes of this section must be approved by a majority vote of the county budget committee or county advisory budget committee. All bonds must be approved prior to issuance by the voters of ~~Piscataquis County~~ the county by referendum vote in accordance with section 938, except that a referendum for this purpose may be conducted at any regular or special county election at which the total number of votes cast for and against the proposed bond issue is equal to at least 50% of the total number of votes cast in ~~Piscataquis County~~ the county for all gubernatorial candidates in the most recent gubernatorial election.

(2) The aggregate unpaid principal amount of all bonds issued under this section may not exceed 2% of the most recent taxable valuation of ~~Piscataquis County~~ the county, as certified by the State Tax Assessor pursuant to Title 36, section 381, adjusted to 100%.

(3) ~~Debt may not be incurred or bonds issued~~ A county may not incur debt or issue bonds under this section if such debt or bonds, in combination with other county debt then outstanding, would cause ~~Piscataquis County~~ the county to exceed limitations on total county debt otherwise provided by law.

(4) All bonds issued under this section must be for capital project costs only and may not be used to fund the annual operating or pro-

gram expenses of any agency, facility, program or office. The commissioners shall deposit the proceeds of any bond issued under this section to a capital project account for the project concerned, established in accordance with section 921. Bond proceeds deposited to a capital project account may ~~only~~ be used only for purposes of financing or completing the project concerned and for no other purposes. Any funds remaining in the capital project account upon completion or termination of the project concerned must be used by the commissioners to prepay any debt incurred by the county for that project. If the terms of a particular bond issued under this section prohibit prepayment of the bond, any funds remaining in the capital project account upon completion or termination of the project concerned may be transferred to another capital project account or used to retire other county debt.

**Sec. 2. Funding.** The Legislature may provide funds to the Department of Economic and Community Development to provide support to the State's 16 counties subject to a 1:1 match.

See title page for effective date.

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**CHAPTER 322**

**H.P. 1083 - L.D. 1558**

**An Act To Improve the Process for Adjustment for Sudden and Severe Disruption of Valuation**

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

**Sec. 1. 5 MRSA §1532, sub-§7** is enacted to read:

**7. State valuation adjustments.** The State Controller shall transfer to general purpose aid for local schools within the Department of Education amounts certified by the Commissioner of Education to be necessary to make the payments required under Title 36, section 208-A.

**Sec. 2. 36 MRSA §208-A**, as amended by PL 2005, c. 332, §11, is repealed and the following enacted in its place:

**§208-A. Adjustment for sudden and severe disruption of valuation**

**1. Request for adjustment.** A municipality that has experienced a sudden and severe disruption in its municipal valuation may request an adjustment to the equalized valuation determined by the State Tax Assessor under section 208 for the purposes of calculat-