

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

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**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

1981

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

Effective May 29, 1981

CHAPTER 49

S. P. 426 — L. D. 1248

AN ACT to Authorize the Eastern Maine Vocational-technical Institute to Operate a Program for Practical Nursing in Ellsworth.

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

Program for practical nursing. The Eastern Maine Vocational-technical Institute may operate a program for practical nursing in the City of Ellsworth.

Effective September 18, 1981

CHAPTER 50

H. P. 317 — L. D. 383

AN ACT to Make Allocations from the Department of Inland Fisheries and Wildlife for the Fiscal Years Ending June 30, 1982 and June 30, 1983.

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

Whereas, the 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Department of Inland Fisheries and Wildlife will become due and payable on or immediately after July 1, 1981; 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. Allocation of Inland Fisheries and Wildlife funds. In order to provide

for the expenditures necessary for the operation of the Department of Inland Fisheries and Wildlife for the next 2 fiscal years, from July 1, 1981 to June 30, 1982 and from July 1, 1982 to June 30, 1983, the following sums or as much thereof as shall severally be found necessary, as designated in the following tabulation, are allocated out of any moneys lawfully available to the department. Upon receipt of allotments duly approved by the Governor based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these allocations on the basis of these allotments and not otherwise.

	1981-82	1982-83
NATURAL RESOURCES		
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE		
Fish and Wildlife — Watercraft Registration & Safety		
Unallocated	\$ 294,502	\$ 446,856
Fish and Wildlife — Central Administrative Services		
Unallocated	8,142,013	8,081,360
Fish and Wildlife — Snowmobile Registration		
Unallocated	<u>333,162</u>	<u>337,793</u>
TOTAL CURRENT SERVICES	\$8,769,677	\$8,866,009

Amounting to \$8,769,677 for the fiscal year ending June 30, 1982 and \$8,866,009 for the fiscal year ending June 30, 1983.

Sec. 2. Reduction of revenue. In the event that actual revenue fails to equal estimates during either year of the biennium, the commissioner shall so report to the Governor and he may temporarily curtail allotments so that expenditures will not exceed the anticipated income.

Sec. 3. Revenue in excess of estimates. Actual revenue, in excess of that estimated and approved by the Legislature, received in either year of the biennium, may be utilized by the department for current programs when recommended by the commissioner and the allotment of these funds is approved by the Governor.

Sec. 4. Unencumbered allocated balances. At the end of each year of the biennium, all unencumbered allocated balances, including existing balances, representing Inland Fisheries and Wildlife moneys shall be set aside in a separate account and may be used for other current programs when recommended by the commissioner and the allotment of these funds is approved by the Governor.

Sec. 5. New programs established by the 110th Legislature. In the event that legislation concerning the department is enacted by the 110th Legislature which requires an expenditure in addition to that now shown in section 1, the department

is authorized to carry out the intent of the legislation through the use of such funds as are available. The same procedure as to the allotment of these funds shall be followed as that outlined in sections 1 and 2.

Sec. 6. Allocation to pheasant stocking program. The allocation to the pheasant stocking program in fiscal year 1982-83 shall not exceed the revenues raised by the sale of pheasant stamps in fiscal year 1981-82.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1981.

Effective July 1, 1981

CHAPTER 51

H. P. 1467 — L. D. 1603

AN ACT to Incorporate the Cobscook Bay Tidal Power District.

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

Sec. 1. Findings. The Legislature finds that the formation and operation of a tidal power district could provide significant amounts of electricity at reasonable cost to the general public in Eastport, Pleasant Point, Perry, Pembroke, Dennysville, Whiting and Lubec, and in the unorganized townships of Edmunds and Trescott; the development of the tidal power resources in the district could significantly contribute to the economic development of the territory within the district; the district territory comprises a number of depressed areas that could benefit from increased economic development; there has been considerable planning to develop the district's tidal power resources; and the development of the district's power resources will be helped by organizing a district as soon as possible. The district would then be able to conduct the necessary engineering, environmental and economic studies to evaluate potential projects. If any project is determined feasible and economically sound, with acceptable environmental impacts, the district would then be authorized and equipped to develop it.

Sec. 2. Territorial limits; incorporation; purpose. The inhabitants and territories in the municipalities of Eastport, Pleasant Point, Perry, Pembroke, Dennysville, Whiting and Lubec, and in the unorganized townships of Edmunds and Trescott in the County of Washington, are created a quasi-municipal body corporate and politic under the name of "Cobscook Bay Tidal Power District." The purpose of the district is to develop the tidal energy resources of the district and to generate electricity through the development of those tidal energy resources for consumption within the district and elsewhere.

Sec. 3. Definitions. As used in this Act, unless the contents otherwise indicates, the following terms have the following meanings.