

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE

**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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

AS PASSED AT THE  
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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tion head, in accordance with policies and guidelines established by the Department of Corrections, who may restore any portion thereof if the person's later conduct and outstanding effort warrant that restoration.

7. The provisions of this section, except those contained in subsection 5, also shall apply to persons who are sentenced to imprisonment in a county jail.

Effective September 23, 1983.

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## CHAPTER 457

H.P. 810 - L.D. 1050

AN ACT Making Adjusted Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1983, June 30, 1984, and June 30, 1985, and Placing Limitations on the Use of the Unallocated Highway Fund Surplus.

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 may not terminate before the end of the current fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the department will become due and payable immediately; 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. Allocations from Highway Fund. In order to provide for necessary expenditures for the fiscal years ending June 30, 1983, June 30, 1984, and June 30, 1985, the following sums, as designated in the following tabulation, are allocated out of any moneys in the Highway Fund not otherwise allocated.

ALLOCATIONS FROM  
HIGHWAY FUND

1982-83    1983-84    1984-85

FINANCE AND ADMINISTRATION, DEPARTMENT OF

State Police Headquarters

Building and transportation

Building Maintenance

All Other                    \$54,354

SOURCE:

Highway Fund                54,354

PUBLIC SAFETY, DEPARTMENT OF

State Police

Personal Service                \$151,757    \$59,396

SOURCE:

Highway Fund                151,757    59,396

TRANSPORTATION, DEPARTMENT OF

Administration

All Other                    \$    500,000

SOURCE:

Highway Fund                500,000

Access roads

All Other                    (    60,000)

SOURCE:

Highway Fund                (    60,000)

	<u>ALLOCATIONS FROM HIGHWAY FUND</u>		
	<u>1982-83</u>	<u>1983-84</u>	<u>1984-85</u>
Traffic services			
All Other	( 600,000)		
SOURCE:			
Highway Fund	( 600,000)		
Bridge maintenance			
All Other	( 500,000)		
SOURCE:			
Highway Fund	( 500,000)		
Salary fund			
Unallocated	(1,877,000)		
SOURCE:			
Highway Fund	(1,877,000)		
Bond Retirement-Highway			
All Other	575,000	270,000	615,000
SOURCE:			
Highway Fund	575,000	270,000	615,000
Bond Interest-Highway			
All Other	1,612,000	330,000	984,000
SOURCE:			
Highway Fund	1,612,000	330,000	984,000
Highway Maintenance			
All Other		(600,000)	(615,000)
SOURCE:			
Highway Fund		(600,000)	(615,000)

	<u>ALLOCATIONS FROM HIGHWAY FUND</u>		
	<u>1982-83</u>	<u>1983-84</u>	<u>1984-85</u>
Highway-Collection Road Program			
All Other			(984,000)
SOURCE:			
Highway Fund			(984,000)
Highway-Local Road Assistance Program			
All Other	350,000		
SOURCE:			
Highway Fund	350,000		
Total Allocations	\$ 54,354	\$151,757	\$59,396

Sec. 2. 23 MRSA §1652, 2nd ¶, as amended by PL 1975, c. 771, §256, is repealed and the following enacted in its place:

Any balance of any allocation or subdivision of an allocation from the Highway Fund made by the Legislature for any department or agency, which at any time may not be required for the purposes named in that allocation or subdivision, may be transferred at any time prior to the closing of the books, to any other allocation or subdivision of an allocation from the Highway Fund made by the Legislature for the same fiscal year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation. Financial orders describing these transfers shall be submitted by the Bureau of the Budget to the Legislative Finance Office 30 days before the transfer is to be implemented.

Sec. 3. 23 MRSA §1654 is enacted to read:

§1654. Transfers from unallocated highway fund surplus

The Governor may allocate from the unallocated highway fund surplus account amounts not to exceed in total the sum of \$1,000,000 in any 2-year budget period.

Funds may be allocated from the account to meet any emergency expense necessarily incurred under any requirement of law or to pay expenses arising out of an emergency requiring an expenditure of money not provided by the Legislature. The Governor shall determine the necessity for these allocations upon consultation with the Commissioner of Transportation and the State Budget Officer.

All such allocations from the highway fund surplus account shall be supported by a statement of facts setting forth the necessity for the allocation. A copy of each order for an allocation, together with the statement of facts, shall be provided to the Legislative Finance Office, President of the Senate and Speaker of the House of Representatives when the allocation is made.

The State Controller shall include in his official annual financial report at the close of each fiscal year a statement showing all transfers made from the highway fund surplus account for the fiscal period.

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

Effective July 17, 1983.

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## CHAPTER 458

S.P. 598 - L.D. 1721

AN ACT to Promote the Wise Use and  
Management of Maine's Outstanding River  
Resources.

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

Sec. 1. 12 MRSA c. 200 is enacted to read:

### CHAPTER 200

#### MAINE'S RIVERS

§401. Maine's rivers

The Legislature finds: