

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Sec. 5. 35-A MRSA §116, sub-§4, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

4. Use of funds. The Public Utilities Commission may use the revenues provided in accordance with this section to fund 43 45 employees and 2 seasonal legal researchers and to defray the costs incurred by the commission pursuant to this Title, including administrative expenses, general regulatory expenses, consulting fees and all other reasonable costs incurred to administer this Title.

Sec. 6. 35-A MRSA §504, sub-§3, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

3. Extension. The commission may, for good cause, extend the deadline set out in subsection 2 not exceeding one month and may excuse any public utility from filing its returns when the gross revenue of the utility does not exceed \$3,000 \$50,000.

Sec. 7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1988-89</u>
<u>PUBLIC UTILITIES COMMISSION</u>	
Personal Services	\$ 1,400
Provides funding for placing administrative assistant position in unclassified service.	
All Other	(1,400)
Deappropriates surplus funds to support declassification.	
Total	<u>\$ 0</u>

Sec. 8. Allocation of Public Utilities Commission Regulatory Fund. Income not otherwise allocated from the Public Utilities Commission Regulatory Fund is allocated for the fiscal year ending June 30, 1989, and shall be segregated, apportioned and disbursed as designated in the following schedule:

	<u>1988-89</u>
<u>PUBLIC UTILITIES COMMISSION</u>	
Positions	(2)
Personal Services	\$60,000
All Other	15,000
Capital Expenditures	<u>2,000</u>
Total	\$77,000

Effective August 4, 1988.

CHAPTER 632

H.P. 1649 — L.D. 2257

AN ACT to Correct Liquor License Fees.

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

Whereas, a restructuring of license fees for the sale of beer and wine to be consumed off the premises where sold was undertaken in the revision of liquor laws during the First Regular Session of the 113th Legislature; and

Whereas, the restructuring was designed to produce no net loss of revenue to the State because as some license fees were lowered, others were raised; and

Whereas, one of the license fee increases was omitted from the legislation making the changes; and

Whereas, without the collection of the additional \$10 intended in the restructuring, the State will experience a loss in revenue; 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:

28-A MRSA §1007-A is enacted to read:

§1007-A. Surcharge on Class VI licenses

In addition to the license fee for full-time Class VI licenses provided in section 1007, subsection 2, paragraph A, there is imposed a \$10 surcharge on all full-time Class VI licenses issued after September 28, 1987.

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

Effective March 23, 1988.

CHAPTER 633

H.P. 1467 — L.D. 1978

AN ACT to Permit Sharing of Confidential Information between Criminal Justice Agencies at all Governmental Levels.

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

Sec. 1. 34-A MRSA §1001, sub-§§19 to 21 are enacted to read:

19. Administration of criminal justice. "Administration of criminal justice" has the same meaning as in Title 16, section 611, subsection 1.

20. Criminal justice agency. "Criminal justice agency" has the same meaning as in Title 16, section 611, subsection 4.

21. Administration of juvenile criminal justice. "Administration of juvenile criminal justice" has the same meaning as in Title 15, section 3308, subsection 7, paragraph A, subparagraph (2).

Sec. 2. 34-A MRSA §3003, sub-§1, ¶¶B and C, as repealed and replaced by PL 1985, c. 737, Pt. A, §90, are amended to read:

B. To any state agency if necessary to carry out the statutory functions of that agency; and

C. If ordered by a court of record, subject to any limitation in the Maine Rules of Evidence, Rule 503; and

Sec. 3. 34-A MRSA §3003, sub-§1, ¶¶D and E are enacted to read:

D. To any criminal justice agency if necessary to carry out the administration of criminal justice, the administration of juvenile criminal justice or for criminal justice agency employment.

Effective August 4, 1988.

CHAPTER 634

H.P. 1726 — L.D. 2369

AN ACT to Eliminate the Requirement that the Deputy Adjutant General and the Director of the Military Bureau be the Same Individual.

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

Sec. 1. 2 MRSA §6, sub-§6, as amended by PL 1983, c. 351, §2, is further amended to read:

6. Range 85. The salaries of the following state officials and employees shall be within salary range 85:

Director of Veterans' Services;

Director of Civil Emergency Preparedness;

Executive Director, Historic Preservation Commission;

Members, Maine Unemployment Insurance Commission; and

~~Deputy Adjutant General (Director of Military Bureau).~~

Director of Military Bureau.

Sec. 2. 5 MRSA §952, sub-§1, ¶A, as enacted by PL 1983, c. 729, §4, is repealed and the following enacted in its place:

A. Director of Military Bureau;

Sec. 3. 37-B MRSA §4, as enacted by PL 1983, c. 460, §3, is repealed and the following enacted in its place:

§4. Directors of bureaus

Each bureau of the department shall have a director. The Director of Military Bureau, the Director of Veterans' Services and the Director of Civil Emergency Preparedness shall each be appointed by the Adjutant General and shall serve at the pleasure of the Adjutant General. None of these directors may hold any other state office for compensation. The Director of Veterans' Services shall be a person who served on active duty in the United States Armed Forces during any federally recognized period of conflict as defined in section 504, subsection 4, paragraph A, subparagraph (3), and a person qualified by experience, training and a demonstrated interest in veterans' services.

Sec. 4. 37-B MRSA §109, as enacted by PL 1983, c. 460, §3, is repealed.

Effective August 4, 1988.

CHAPTER 635

S.P. 949 — L.D. 2508

AN ACT Relating to Development Along the St. Croix River.

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

12 MRSA §405-A is enacted to read:

§405-A. St. Croix River

1. Special consideration. In consideration of the special status of the St. Croix River as an international boundary governed in part by the International Joint Commission and the Province of New Brunswick, the Legislature establishes the following provisions.

2. Commercial, industrial or residential development. Except as provided in this subsection, no person may undertake any further commercial, industrial or residential development in the area within 250 feet of the St. Croix River from the Grand Falls flowage to the north end of Wingdam Island. The following activities shall be exempt from these provisions:

A. Development of hydroelectric or other dams, plants and related facilities or improvements subject to the conditions described in subsection 3;

B. A bridge at Vanceboro;

C. A haul road from Grand Falls;