

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

AS PUBLIC LAWS AND CONSTITUTIONAL RESOLUTIONS

at the

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 1988

AND

AS PRIVATE AND SPECIAL LAWS AND RESOLVES

at the

FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

THIRD SPECIAL SESSION

September 15, 1988 to September 16, 1988

and the

FOURTH SPECIAL SESSION

November 28, 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
1989

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

CHAPTER 1

H.P. 381 — L.D. 502

AN ACT Making Additional Allocations for the Administrative Expenses of the Department of Finance, Bureau of Lottery, for the Fiscal Year Ending June 30, 1987.

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 until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the Bureau of Lottery will become due and payable prior to July 1, 1987; 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 State Lottery Fund. In order to provide for the necessary expenses of operation and administration of the Bureau of Lottery, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the State Lottery Fund.

1986-87

FINANCE, DEPARTMENT OF

Lottery Operations

Positions	(3)
Personal Services	\$ 16,500
All Other	<u>500,000</u>

Total \$516,500

Provides funds for additional Account Clerk I, Data Entry Specialist and Lottery Field Representative positions, as well as All Other funds to meet increased on-line computer terminal costs experienced as a result of significantly increased sales volumes.

Sec. 2. Allotments required. 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 from these allocations on the basis of these allotments and not otherwise.

Sec. 3. Legislative intent. It is the intent of the Legislature that the allocation of funds by the Legisla-

ture, as provided by this Act, shall apply to the operating expenses only and that these allocations shall be allotted and approved under the Maine Revised Statutes, Title 5.

Sec. 4. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor to specifically cover those adjustments determined to be necessary under any salary plan approved by the Legislature and those reclassifications and range changes which have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

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

Effective March 4, 1987.

CHAPTER 2

H.P. 551 — L.D. 738

AN ACT to Clarify the Taxing Powers of the Frye Island Municipal Services Corporation.

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

Whereas, the Frye Island Municipal Services Corporation was established by the Legislature in 1975 as a result of the developer, known or formerly known as Sebago Lake Shores, Inc., then Leisure Living Communities, Inc., a Massachusetts corporation, being in serious financial difficulties and unable to provide common service to the development; and

Whereas, to provide these services for the development the Legislature empowered the Frye Island Municipal Services Corporation to lay and collect taxes for the provision of these services; and

Whereas, the Legislature inadvertently granted the Frye Island Municipal Services Corporation the power to tax a portion of the island which was not part of the development; and

Whereas, the landowners of land which is not part of the development and who derive no benefit from the development; and

Whereas, those landowners who should not be subject to the taxing powers of the Frye Island Municipal Services Corporation may lose their property in tax lien proceedings; and

Whereas, the loss of the landowners' property would be a grave injustice because of the Legislature did not intend them to be subject to the taxing powers of the Frye Island Municipal Services Corporation; and

Whereas, this legislation is necessary to clarify the legislative intent regarding the taxing powers of the Frye Island Municipal Services Corporation; 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. P&SL 1975, c. 138, §1, is amended to read:

Sec. 1. Territory of Frye Island Municipal Services Corporation defined. So much of the territory of the Town of Standish, in the County of Cumberland, as is bounded and described as follows, to wit: That portion of Frye Island, so-called in Sebago Lake, except the parcel of land situated at the southerly tip of Frye Island, more specifically, all that land situated southerly of a straight line running in a generally east-west direction between the following 2 points: The first point is on the westerly side of Frye Island, at the shore of Sebago Lake, and is shown as "124 + 11.35 D.H." on a plan entitled "Plan of Property in Raymond and Standish, Me. adjoining Sebago Lake surveyed for Thomas Avery Lamb," dated June, 1907, prepared by E. C. Jordan and Company, Civil Engineers, Portland, Maine; and the 2nd point is on the easterly side of Frye Island, at the shore of Sebago Lake, and is shown as "97 + 37.75" on the plan, being the same parcel of land conveyed in a deed from Sebago Lake Shores, Inc. to John P. Porell dated April 20, 1968, and recorded in the Cumberland County Registry of Deeds in Book 3037, Page 85, together with the inhabitants residing therein and the owners of real estate therein, be and the same is hereby created a body politic and corporate by the name of Frye Island Municipal Services Corporation.

Sec. 2. P&SL 1975, c. 138, §§1-A and 1-B are enacted to read:

Sec. 1-A. Tax assessments on certain lands. All currently owed taxes assessed by Frye Island Municipal Services Corporation on real estate within that portion of Frye Island excepted from the territory of the Frye Island Municipal Services Corporation are abated. Any currently owed taxes described herein which are subsequently paid to the Frye Island Municipal Services Corporation shall be returned by Frye Island Municipal Services Corporation to the payor within 30 days of the effective date of this Act, provided that the payor does not elect to become a member of the Frye Island Municipal Services Corporation prior to the effective date of this Act. Any tax liens on real estate located within that portion of Frye Island excepted from the territory of the Frye Island Municipal Services Corporation shall be discharged by Frye Island Municipal Services

Corporation within 30 days of the effective date of this Act.

Sec. 1-B. Agreement for provision of services and payment of taxes. Owners of real estate located on that portion of Frye Island excepted from the territory of the Frye Island Municipal Services Corporation shall not receive utility or recreational services from the Frye Island Municipal Services Corporation until an owner provides written notice that the owner desires irrevocably to place his real estate within the territory of the Frye Island Municipal Services Corporation. Upon receipt of this notification, the Frye Island Municipal Services Corporation shall provide all services generally provided to other members of the Frye Island Municipal Services Corporation, including, without limitation, access over Shoreview Circle, as shown on an index sheet of Sebago Lake Shores, Frye's Island, Sebago Lake, prepared by Wright, Pierce, Barnes and Wyman, or other reasonable access, from the developed road system to the northerly border of that portion of Frye Island excepted by this Act from the territory of the Frye Island Municipal Services Corporation.

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

Effective March 13, 1987.

CHAPTER 3

S.P. 199 — L.D. 556

AN ACT to Make Additional Allocations from the Public Utilities Commission Regulatory Fund for the Fiscal Year Ending June 30, 1987.

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 until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of the department will become due and payable prior to July 1, 1987; 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:

Allocation of Public Utilities Commission Regulatory Fund. The Public Utilities Commission Regulatory Fund shall be allocated as designated in the following schedule.