

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 18

H.P. 711 — L.D. 962

AN ACT to Establish the Cost of the 1987
Spruce Budworm Management Program.

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

Whereas, prompt determination of the cost of the Spruce Budworm Management Program is necessary in order to establish preproject taxes to be assessed on landowners in the Spruce Fir Forest Protection District; and

Whereas, the uncertainty of the need for a spray project in 1988 necessitates modification in the Maine Spruce Budworm Management Act to allow the director to plan for that contingency; 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. Spruce Budworm Management Program cost. In accordance with the Maine Revised Statutes, Title 12, section 8426, the Legislature determines that the cost of the 1987 Spruce Budworm Management Program is \$120,000.

Sec. 2. Extension. The Maine Revised Statutes, Title 12, sections 8426 and 8427, notwithstanding, for current program year the time for legislative determination of the amount authorized for expenditure for the 1987 Spruce Budworm Management Program is extended to May 15, 1987. The due date for the first 50% of the preproject excise tax is extended to June 30, 1987. The period within which the loan authorized by Title 12, section 8426, subsection 5 may be used is extended to June 30, 1987.

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

Effective May 8, 1987.

CHAPTER 19

S.P. 140 — L.D. 394

AN ACT to Validate and Approve Certain
Proceedings Relating to the
Otis-Mariaville Union School.

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

Whereas, there is an urgent need for the construction of a new school to serve the educational needs of the Towns of Otis and Mariaville; and

Whereas, the Commissioner of Educational and Cultural Services has prepared and the towns have approved a union school agreement between the Towns of Otis and Mariaville which contemplate the construction of a new union school in Otis to be owned jointly by the 2 towns; and

Whereas, the laws governing union schools confer general authority on towns to incur indebtedness for the construction of union schools, but do not prescribe the procedures to be followed in incurring the indebtedness; and

Whereas, the Towns of Otis and Mariaville may not be able to borrow funds for the construction of the proposed union school unless the proceedings of the 2 towns relating to the proposed union school are validated and approved by the Legislature; 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. Validation and approval of union school agreement. The union school agreement between the Town of Otis and the Town of Mariaville as approved by the Commissioner of Educational and Cultural Services and approved by vote of the Towns of Otis and Mariaville at special town meetings on January 17, 1987, is hereby validated and approved.

Sec. 2. Issuance of bonds; Town of Otis. The referendum vote of the Town of Otis conducted on March 23, 1987, authorizing the issuance of bonds or notes of the town for school construction purposes in an amount not to exceed \$735,000 for the purpose of acquiring land and constructing and equipping a union school in Otis is validated and approved and the municipal officers of the Town of Otis are authorized to issue bonds or notes of the Town of Otis pursuant to the Maine Revised Statutes, Title 20-A, section 15909 and Title 30, section 5152, in an amount not to exceed \$735,000 for school construction purposes for the purpose of acquiring land and constructing and equipping a union school for the Towns of Otis and Mariaville for kindergarten and grades one to 8 to be located in the Town of Otis. Any such bonds or notes of the Town of Otis, when issued in accordance with the provisions, shall be the only authorized, legal and binding obligations of the Town of Otis.

Sec. 3. Issuance of bonds; Town of Mariaville. The referendum vote of the Town of Mariaville conducted on March 30, 1987, authorizing the issuance of bonds or notes of the town for school construction purposes in an amount not to exceed \$395,000 for the purpose of acquiring land and constructing and equipping a union school in Otis is validated and approved and the municipal officers of the Town of Mariaville are authorized to issue bonds or notes of the Town of Mariaville pursuant to the Maine Revised Statutes, Title 20-A, section 15909 and Title 30, section 5152, in an amount not to exceed \$395,000 for the purpose of acquiring land and constructing and equipping a union school for the Towns of Otis and Mariaville for kindergarten and grades one to 8 to be located in the Town of Otis. Any such bonds or notes of the Town of Mariaville when issued in accordance with such provisions shall be the duly authorized, legal and binding obligations of the Town of Mariaville.

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

Effective May 8, 1987.

CHAPTER 20

H.P. 440 — L.D. 593

AN ACT to Include the Tacoma Lakes in the Valuation of the Cobbossee Watershed District.

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

Sec. 1. P&SL 1971, c. 95, §13, 8th sentence, as enacted by P&SL 1973, c. 189, §3, is amended to read:

For the purposes of this section, the major lakes, ponds and waterways of the watershed shall be considered to be Torsey Pond, Lake Annabessacook, Lake Maranacook, Lake Cobbosseecontee, Pleasant Pond, Berry Pond, Dexter Pond, Cochnewagon Pond, Narrows Ponds, Little Cobbossee Pond, Wilson Pond, Woodbury Pond, Sand Pond, Buker Pond, Jimmy Pond and Cobbosseecontee Stream down to 100 feet below the New Mills Dam, so called.

Sec. 2. Effective date. This Act shall take effect immediately upon acceptance by a majority of the voters of the municipality of Litchfield of the "Act Creating the Cobbossee Watershed District," as enacted by Private and Special Law 1971, chapter 95, and as amended by Public Law 1971, chapter 544, section 147; Private and Special Law 1973, chapter 189; and Private and Special Law 1977, chapter 26. This acceptance shall be in accordance with the provisions of the last paragraph of Private and Special Law 1971, chapter 95.

Effective pending referendum.

CHAPTER 21

S.P. 449 — L.D. 1375

AN ACT Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1988, and June 30, 1989.

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 state departments and institutions 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:

PART A

Sec. 1. Appropriations and allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1988, and June 30, 1989, the following sums as designated in the following tabulations are appropriated or allocated out of any money not otherwise appropriated or allocated.

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 of these funds, together with expenditures for other purposes necessary to the conduct of State Government on the basis of these allotments and not otherwise. Allotments for Personal Services, Capital Expenditures and amounts for All Other departmental expenses shall not exceed the amounts shown in the budget document or as they may be revised by the joint standing committee of the Legislature having jurisdiction over these appropriations and allocations, unless recommended by the State Budget Officer and approved by the Governor in accordance with established law.

Sec. 3. Personal Services funding. The amounts provided for Personal Services in the General Fund, Highway Fund and Department of Inland Fisheries and Wildlife funds are subject to the provision that the total