

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

against owners or persons in possession, or against whom taxes are assessed, of all buildings or premises intended for human habitation or occupancy which are accessible to sewers or drains of the district, but not actually connected to them, whether or not the buildings or premises are occupied. A building or premises shall be deemed to be accessible to a sewer or drain of the district for purposes of this section if the building or premises, or any private sewer or drain directly or indirectly connected to it or carrying waste water or commercial or industrial waste from it, comes at any point within 100 feet of a sewer or drain of the district, provided that the owner of the building is not required to acquire any real property or easement in real property for the sole purpose of making the connection.

Effective September 29, 1987.

CHAPTER 23

H.P. 922 — L.D. 1234

AN ACT to Fund and Implement Collective Bargaining Agreements with Vocational-technical Institute System Employees Represented by the Maine Teachers Association, the Maine State Employees Association and the American Federation of State, County and Municipal Employees and to Fund and Implement Benefits for Certain Vocational-technical Institute System Employees Excluded from Bargaining.

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

Whereas, certain obligations and expenses incident to the operation of state collective bargaining agreements will become due and payable immediately; and

Whereas, it is the responsibility of the Legislature to act upon those portions of tentative collective bargaining agreements negotiated by the Executive Branch on behalf of vocational-technical institute system employees which require legislative action; and

Whereas, the Governor and the Legislature also share a desire to address the needs of certain vocational-technical institute system employees excluded from collective bargaining units on a timely basis; 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. Appropriation from the General Fund.

There is appropriated from the General Fund the sum of \$471,156 for the fiscal year ending June 30, 1987, to offset fiscal year 1987 salary and benefit costs of Maine Vocational-technical Institute System employees.

Sec. 2. Special account funding. Funding provided by this Act shall be segregated into a special account in the Department of Finance to be made available to the Board of Trustees of the Maine Vocational-technical Institute System as needed upon recommendation of the State Budget Officer, with the approval of the Governor. Except as indicated otherwise in collective bargaining agreements or policy adopted by the board of trustees for nonbargaining unit employees, funds provided by this Act shall include retirement costs.

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

Effective May 20, 1987.

CHAPTER 24

H.P. 1103 — L.D. 1494

AN ACT to Make Allocations from Various Funds of the Department of Environmental Protection 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 the department will become due and payable on or immediately after 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 Ground Water Oil Clean-up Fund. Income to the Ground Water Oil Clean-up Fund for the next 2 fiscal years ending June 30, 1988, and June 30, 1989, shall be segregated, apportioned and disbursed as designated in the following schedule:

1987-88 1988-89

ENVIRONMENTAL PROTECTION,
DEPARTMENT OF

Oil and Hazardous Materials Control

Positions	(20)	(20)
Personal Services	\$ 549,143	\$ 572,837
All Other	1,354,240	1,387,783
Capital Expenditures	224,523	73,995
Total	\$2,127,906	\$2,014,615

Sec. 2. Allocation of Maine Coastal and Inland Surface Clean-up Fund. Income to the Maine Coastal and Inland Surface Clean-up Fund for the next 2 fiscal years ending June 30, 1988, and June 30, 1989, shall be segregated, apportioned and disbursed as designated in the following schedule:

	1987-88	1988-89
<u>ENVIRONMENTAL PROTECTION,</u> <u>DEPARTMENT OF</u>		
Oil and Hazardous Materials Control		
Positions	(14)	(14)
Personal Services	\$ 456,611	\$ 473,884
All Other	1,858,503	1,445,965
Capital Expenditures	230,608	164,280
Total	\$2,545,722	\$2,084,129

Sec. 3. Allocation of Maine Hazardous Waste Fund. Income to the Maine Hazardous Waste Fund for the next 2 fiscal years ending June 30, 1988, and June 30, 1989, shall be segregated, apportioned and disbursed as designated in the following schedule:

	1987-88	1988-89
<u>ENVIRONMENTAL PROTECTION,</u> <u>DEPARTMENT OF</u>		
Oil and Hazardous Materials Control		
Positions	(6)	(6)
Personal Services	\$189,474	\$196,175
All Other	195,860	142,464
Capital Expenditures	85,786	68,604
Total	\$411,120	\$407,276

Sec. 4. Allocation of Radioactive Waste Evaluation Fund. Income to the Radioactive Waste Evaluation Fund for the next 2 fiscal years ending June 30, 1988, and June 30, 1989, shall be segregated, apportioned and disbursed as designated in the following schedule:

	1987-88	1988-89
<u>ENVIRONMENTAL PROTECTION,</u> <u>DEPARTMENT OF</u>		
Technical Studies		
Positions	(3)	(3)
Personal Services	\$ 81,549	\$ 84,962
All Other	29,896	26,788
Capital Expenditures	1,910	1,451
Radioactive Waste Evaluation Fund		
Personal Services	6,000	6,000
All Other	15,041	15,041
Total	\$194,396	\$194,242

Sec. 5. Adjustments to allocations. Allocations made in sections 1 to 4 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 or range changes which have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 6. Encumbered balance at year end. At the end of each fiscal year, all encumbered balances shall not be carried more than once.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1987.

Effective July 1, 1987.

CHAPTER 25

H.P. 848 — L.D. 1139

AN ACT Relating to the Town of York School District.

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

Whereas, the present buildings which house the schools of the Town of York are becoming overcrowded and with each new school year will become increasingly overcrowded and inadequate; and

Whereas, it is imperative that action be taken at the earliest possible moment to relieve these conditions; and

Whereas, new building construction is vitally necessary; and

Whereas, present borrowing capacity will not allow the Town of York School District to borrow sufficient funds for the necessary construction and equipment; and

Whereas, it is desirable that this matter be acted upon by the voters of the Town of York as soon as possible; 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 1951, c. 57, §1, as amended by P&SL 1975, c. 118, is further amended to read:

Sec. 1. Town of York School District, incorporated. Subject to the provisions of this Act, the inhabitants of