

# 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.

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Twin City Printery  
Lewiston, Maine  
1989

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**PRIVATE AND  
SPECIAL LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the

ONE HUNDRED AND THIRTEENTH LEGISLATURE

1987

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All Other	12,000	13,000
Capital Expenditures	72,337	49,775
Provides funds for motorboat access, vehicles and miscellaneous equipment.		
<b>Enforcement</b>		
Personal Services	59,116	59,116
Provides funds for 4 intermittent Recreation Safety Coordinators and 10 Warden Cadets.		
All Other	1,600	1,600
Capital Expenditures	24,100	14,950
<b>ATV Safety and Education</b>		
Capital Expenditures	2,400	
Provides funds for a slide camera and ATV.		

DEPARTMENT OF INLAND FISH- ERIES AND WILDLIFE		
<b>TOTAL</b>	<u>\$426,783</u>	<u>\$340,736</u>

**Sec. 2. Allocations, Federal Expenditure Fund.** There is allocated from the Federal Expenditure Fund for fiscal years ending June 30, 1988, and June 30, 1989, to the bureaus listed, the sums identified in the following, in order to provide funding for approved positions, capital equipment and research expansion.

	<u>1987-88</u>	<u>1988-89</u>
<b>FEDERAL EXPENDITURE FUND</b>		
<b>Office of the Commissioner</b>		
Personal Services	\$ 38,642	\$ 40,692
Provides partial funding for Resource Education position (1/3), Federal Aid Coordinator (1/2) and a Public Relations Specialist/Warden Planner Lt. (1/3).		
<b>Fisheries and Hatcheries</b>		
Personal Services	48,182	48,182
All Other	656	1,038
Capital Expenditures	209,674	178,277
Provides partial funding for 1 Biologist and 2 Fishery Technicians. Provides funds for needed capital equipment and motor boat access.		
<b>Endangered Nongame Operations</b>		
Personal Services	56,526	56,526
Provides funds for 2 project positions.		
<b>TOTAL</b>	<u>\$353,680</u>	<u>\$324,715</u>

**Sec. 3. 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 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. 4. Encumbered balances 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 41**

H.P. 1208 — L.D. 1648

**AN ACT Relating to Powers of the Board of Trustees of the Maine Maritime Academy and to Authorize Conferral of the Master of Science Degree in Maritime Management.**

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

**Sec. 1.** P&SL 1941, c. 37, §2, first ¶, as amended by P&SL 1983, c. 16, §1, is further amended by adding after the 2nd sentence a new sentence to read:

The trustees may further provide for the publication of scholarly writings in the field of maritime and related studies and, in furtherance of that end, they may establish the Maine Maritime Press.

**Sec. 2.** P&SL 1941, c. 37, §8, 2nd sentence, as enacted by P&SL 1983, c. 16, §2, is amended to read:

The board of trustees shall have the power to confer the degree of Master of Science in Maritime Management upon all candidates who shall satisfactorily complete a minimum of 50 credit hours of post baccalaureate studies all post baccalaureate degree requirements in the fields of the maritime sciences in accordance with the curriculum prescribed by the board of trustees.

Effective September 29, 1987.

**CHAPTER 42**

S.P. 231 — L.D. 625

**AN ACT to Authorize the Construction of an East-West Highway.**

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

**Sec. 1. East-West highway; authorized.** The Department of Transportation is authorized and directed to construct a free highway from the junction of Route 1 in Calais to Gilead. This highway shall, as much as practical, follow existing state highways, including Routes 9 and 2, and shall be designed to permit traffic to travel safely at highway speeds.

The plans for the construction of this facility shall be developed by or for the department.

**Sec. 2. Funding.** Funding for the various phases of the construction of this highway shall be included in the department's future transportation investment programs.

Effective September 29, 1987.

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## CHAPTER 43

H.P. 415 — L.D. 549

**AN ACT to Make Allocations for the Administrative Expenses of the Bureau of Alcoholic Beverages, Department of Finance, 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 Bureau of Alcoholic Beverages and the State Liquor Commission 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 fund.** In order to provide for the necessary expenses of operation and administration of the Bureau of Alcoholic Beverages and the State Liquor Commission, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operation of the fund:

<u>1987-88</u>	<u>1988-89</u>
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FINANCE, DEPARTMENT OF

Alcoholic Beverages — General  
Operation

Positions	(260)	(260)
Personal Services	\$5,590,504	\$5,799,565
All Other	1,847,584	1,904,722
Alcoholic Beverages — General Operation		
All Other	377,775	390,975

DEPARTMENT OF FINANCE,		
TOTAL	\$7,815,863	\$8,095,262

**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 Legislature, as provided by this Act, shall apply to the administrative expenses only and that these allocations shall be allotted and approved under the Maine Revised Statutes, Title 5. It is not intended to affect the use of the working capital, provided for by the Maine Revised Statutes, Title 28, or other activities required of the State Liquor Commission by the Maine Revised Statutes, Title 28.

**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 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. 5. Exclusion.** Exclusive of the provisions of sections 1 to 4, up to \$200,000 for Capital Expenditures may be expended in fiscal year 1988 and up to \$50,000 in fiscal year 1989.

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

Effective July 1, 1987.

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## CHAPTER 44

S.P. 242 — L.D. 673

**AN ACT Making Authorizations and Allocations Relating to Federal Block Grants for the Expenditures of State Government for the Fiscal Years Ending June 30, 1987, 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