

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST SPECIAL SESSION

August 21, 1989 to August 22, 1989

and

SECOND REGULAR SESSION

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
July 14, 1990

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

J.S. McCarthy Company
Augusta, Maine
1990

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

January 3, 1990 to April 14, 1990

§5684. Funding for mandated programs

1. Mandated program. Any legislation containing a state mandate enacted by the Legislature after July 1, 1991, that requires additional funding, must provide for full funding by the State. The funding requirements to implement the mandate must be identified in the legislation. Any legislation subject to this section for which full funding is not provided may not be enacted.

For the purposes of this section, "state mandate" means any state regulatory or statutory action that requires county or municipal government, or a unit of county or municipal government, to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court or any legislation necessary to comply with a federal mandate.

See title page for effective date.

CHAPTER 923

S.P. 998 - L.D. 2465

An Act to Authorize the Department of Marine Resources to Purchase, Lease or Lease-Purchase Facilities at McKown Point in Boothbay Harbor

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

Sec. 1. 5 MRSA §1587, as amended by PL 1989, c. 237, §1, is further amended by adding at the end a new paragraph to read:

Upon execution of any lease-purchase agreements that exceed the amounts listed above, all departments and agencies shall provide information to the Treasurer of State pertaining to the actual amount of the lease-purchase, including the term and the interest cost of the lease-purchase agreement.

Sec. 2. Authorization of purchase, lease or lease-purchase of a new marine research and office facility. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Marine Resources is authorized to purchase, lease with an option to purchase or enter into lease-purchase financing agreements for a new laboratory and office facility with an outright purchase price of not more than \$8,000,000 to be constructed on the site of the current Department of Marine Resources facility at McKown Point in Boothbay Harbor. The Commissioner of Marine Resources is authorized to encumber, mortgage and otherwise give security interests in the building and real property appurtenant to the facility and to provide for reasonable access to the facility and property as part of any financing arrangement authorized by this Act.

The term of any lease-purchase agreement may not exceed 10 years, totaling \$8,000,000 with interest costs at 8% of approximately \$3,600,000.

All plans, contracts, terms, terms of financing and other terms relating to any agreement reached must be subject to the review of the Joint Standing Committee on Appropriations and Financial Affairs.

See title page for effective date.

CHAPTER 924

H.P. 1803 - L.D. 2474

An Act to Amend the Maine Criminal Code with Regard to Drugs

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

Sec. 1. 17-A MRSA §1102, sub-§1, ¶I, as amended by PL 1989, c. 334, §2, is further amended to read:

I. Unless listed or described in another schedule, all narcotic drugs, including, but not limited to, heroin (diacetylmorphine), methadone, pethidine, morphine and opium. As used in this chapter, "heroin" means any compound, mixture or preparation containing heroin;

Sec. 2. 17-A MRSA §1102, sub-§1, ¶J, as enacted by PL 1977, c. 649, §1, is amended to read:

J. Phencyclidine;

Sec. 3. 17-A MRSA §1102, sub-§1, ¶¶K to M are enacted to read:

K. Lysergic acid diethylamide, and its salts, isomers and salts of isomers;

L. Lysergic acid; and

M. Lysergic acid amide.

Sec. 4. 17-A MRSA §1102, sub-§2, ¶H, as enacted by PL 1975, c. 740, §100, is amended to read:

H. Unless listed or described in another schedule, any of the following hallucinogenic drugs or their salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) 3, 4 -- methylenedioxy amphetamine;

(2) 5 -- methoxy -- 3, 4 -- methylenedioxy amphetamine;