

MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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
1989

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

Sec. 2. Additional conditions. For purposes of immunity and liability, Health Consortium Inc., any person or entity contracting with Health Consortium Inc., and any of their employees, including the interim superintendent, when providing services pursuant to a contract between Health Consortium, Inc. and the Department of Mental Health and Mental Retardation, including assisting and advising the department in carrying out its statutory duties at the Augusta Mental Health Institute, shall be deemed to be state employees or state agencies. The interim superintendent shall meet with committees of the Legislature at the request of those committees to provide any requested information and the commissioner shall provide to the joint standing committee of the Legislature having jurisdiction over human resource matters copies of all written materials provided to the commissioner or the Governor by the interim superintendent or Health Consortium, Inc. It is the intent of the Legislature that the costs of any contracts entered into by the Department of Mental Health and Mental Retardation relating to the appointment of an interim superintendent and the provision of services related to that interim appointment shall be paid from the Governor's contingency account.

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

Effective May 23, 1989.

CHAPTER 26

H.P. 419 - L.D. 584

An Act to Make Allocations for the Administrative Expenses of the Bureau of Lottery, Department of Finance, for the Fiscal Years Ending June 30, 1990, and June 30, 1991

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 on or immediately after July 1, 1989; 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 Lottery, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the State Lottery Fund.

	1989-90	1990-91
FINANCE, DEPARTMENT OF		
State Lottery Fund		
Positions	(43.5)	(43.5)
Personal Services	\$1,209,205	\$1,248,639
All Other	1,670,642	1,884,226
DEPARTMENT OF FINANCE		
TOTAL	\$2,879,847	\$3,132,865

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.

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. Excluding sections 1 to 4 of this Act, up to \$90,000 each fiscal year may be expended for Capital Expenditures.

Sec. 6. Report. The Commissioner of Finance shall report to the Joint Standing Committee on Appropriations and Financial Affairs concerning the success of using direct mailing strategies initiated by the Bureau of Lottery by January 15, 1990.

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

Effective May 26, 1989.

CHAPTER 27

H.P. 572 - L.D. 776

An Act to Clarify the Common Boundary of the Town of Cape Elizabeth and the Town of Scarborough

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

Boundary line between the Town of Cape Elizabeth and the Town of Scarborough. The boundary line between the Town of Cape Elizabeth and the Town of Scarborough in the County of Cumberland shall commence at a granite monument at the intersection of the municipal boundary lines of Scarborough, South Portland and Cape Elizabeth, the monument being South 55° 06' 50" East a distance of 2210.11 feet from a granite monument on the Westerly side of Highland Avenue as shown on "Plan of Survey for Scarborough-South Portland Town Line" recorded in the Cumberland County Registry of Deeds in Plan Book 133, page 67.

Thence South 55° 06' 50" East 2174.42 feet to a granite monument set on the town line between Cape Elizabeth and Scarborough marked C.E.-SC.;

Thence South 55° 06' 50" East a distance of 192 feet more or less, to the center line of the Spurwink River;

Thence in a general Southeasterly direction by the center line of the Spurwink River;

Thence in a general Southwesterly direction by the center line of the Spurwink River as it flows to the Atlantic Ocean at Higgins Beach.

See title page for effective date.

CHAPTER 28

H.P. 594 - L.D. 812

An Act to Establish the Boundary Line between the Town of Falmouth and the City of Westbrook

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

Boundary line between the Town of Falmouth and the City of Westbrook. The boundary between the Town of Falmouth in the County of Cumberland and the City of Westbrook in the County of Cumberland shall commence at a granite monument marked with the letters "W" and "F" on the easterly line of the Town of Windham, which monument is one hundred seventy-five feet (175'), more or less, northerly along said Windham line from the center line of U.S. Route 302, and which monument is further identified with reference to the Maine Coordinate System of 1983 (West Zone) as being at coordinates X = 884,344,415, Y = 102,241,236; thence South fifty-five degrees, twenty-six minutes, zero seconds East (S 55° 26' 00" E) crossing the southerly end of Highland Lake, so called, a distance of two thousand four hundred fifty-eight and eight tenths feet (2,458.8') to a granite monument; thence North two degrees, zero minutes, thirty seconds West (N 2° 00' 30" W) a distance of eight hundred seventy-four and one tenth feet (874.1') to a granite monument; thence North seventy-one degrees, twenty-two

minutes, zero seconds East (N 71° 22' 00" E) a distance of five hundred twenty-nine and zero tenths feet (529.0') to a granite monument; thence South nineteen degrees, fourteen minutes, thirty seconds East (S 19° 14' 30" E) a distance of seven hundred twenty-three and eight tenths feet (723.8') to a granite monument; thence South sixty-eight degrees, thirteen minutes, zero seconds West (S 68° 13' 00" W) a distance of ninety-three and two tenths feet (93.2') to a granite monument; thence South eighteen degrees, fifty-eight minutes, zero seconds East (S 18° 58' 00" E) a distance of eight hundred fifty-eight and zero tenths feet (858.0') to a granite monument; thence North seventy degrees, twenty-eight minutes, thirty seconds East (N 70° 28' 30" E) a distance of seven hundred thirteen and two tenths feet (713.2') to a granite monument on the westerly side of Mast Road, so called; thence North thirty-four degrees, twenty-eight minutes, zero seconds West (N 34° 28' 00" W) a distance of two hundred twenty-eight and zero tenths feet (228.0') to a point; thence North fifty-nine degrees, four minutes, zero seconds East (N 59° 04' 00" E) a distance of thirty-five and zero tenths feet (35.0') to a granite monument on the easterly side of said Mast Road; thence North thirty-five degrees, thirty-three minutes, zero seconds West (N 35° 33' 00" W) a distance of two hundred thirty-seven and nine tenths feet (237.9') to a granite monument on the easterly shoulder of said Mast Road; thence North seventy-four degrees, seven minutes, thirty seconds East, (N 74° 7' 30" E) passing through the iron rod set as an intermediate monument shown by the plan hereinafter referenced, a distance of one thousand thirty and two tenths feet (1,030.2') to a granite monument; thence South eight degrees, fifty-eight minutes, thirty seconds West (S 8° 58' 30" W) a distance of one hundred fifty-two and seven tenths feet (152.7') to a granite monument; thence South eighty-seven degrees, four minutes, thirty seconds East (S 87° 4' 30" E) a distance of nine hundred eighty-five and three tenths feet (985.3') to a granite monument; thence North twenty-seven degrees, forty minutes, zero seconds East (N 27° 40' 00" E) a distance of nine hundred fifty-two and five tenths feet (952.5') to a one and one-half inch diameter iron pin set in a boulder; thence South seventy degrees, seventeen minutes, zero seconds East (S 70° 17' 00" E) a distance of seven hundred thirty-seven and two tenths feet (737.2') to a granite monument; thence South thirteen degrees, forty-three minutes, zero seconds West (S 13° 43' 00" W) a distance of one thousand twenty-two and two tenths feet (1,022.2') to a granite monument; thence South eighty-nine degrees, eleven minutes, zero seconds East (S 89° 11' 00" E) a distance of six hundred fifty-nine and eight tenths feet (659.8') to a granite monument; thence South twenty degrees, eight minutes, thirty seconds East (S 20° 8' 30" E) passing through an intermediate monument as shown on the plan hereinafter referenced, a distance of two thousand two hundred ninety-one and zero tenths feet (2,291.0') to a granite monument; thence South seventy-two degrees, fifty-six minutes, zero seconds West (S 72° 56' 00" W) a distance of three hundred fifty-six and zero tenths feet (356.0') to a granite monument; thence North sixty-four degrees, thirty-eight minutes, zero seconds West (N 64° 38' 00" W) a distance of five hundred thirty-five and nine tenths feet (535.9') to a granite monument; thence South thirty degrees, thirty-one minutes, zero seconds West (S 30° 31' 00" W) a distance of one thousand two hundred fifty-three and six tenths feet (1,253.6') to a