

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

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:

Megunticook Watershed District. The Megunticook Watershed District covering the towns of Hope, Lincolnville and Camden may be created pursuant to the Maine Revised Statutes, Title 38, chapter 23. The Camden and Rockland Water Company shall have the same status as a water district under Title 38, chapter 23 and a representative of the Megunticook Watershed Association may be included as a voting member of the board of trustees of the watershed district.

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

Effective June 19, 1989.

CHAPTER 47

S.P. 154 - L.D. 274

An Act to Permit Law Enforcement Officers to Solicit Funds for a Law Enforcement Officers' Memorial

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

Whereas, law enforcement officers perform a great public service to the communities of this State; and

Whereas, these officers, daily, place their lives in jeopardy and are currently prohibited from soliciting funds to allow them to build memorials to their fellow officers slain in the line of duty; 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. Solicitation for a slain law enforcement officers' memorial. For one year following the effective date of this Act, the prohibition on solicitation under the Maine Revised Statutes, Title 25, section 3702, shall not apply to persons authorized under section 2 of this Act to solicit funds for the payment of or to pay for any obligations incurred in the completion, erection and maintenance of one memorial to commemorate law enforcement officers slain in the line of duty, to be erected at a location selected by the Maine Chiefs of Police Association. If the location selected by the Maine Chiefs of Police Association is owned by or

under the control of the State or any of its political subdivisions, the entity having jurisdiction over the location must approve the use of the location for the purposes of this Act.

Sec. 2. Persons authorized to solicit. The following persons may solicit funds as provided in section 1 of this Act:

1. Law enforcement officers. Law enforcement officers, with the consent of the chief administrator of the law enforcement agency employing those officers; and

2. Any other person. Any other person, with the consent of the Maine Chiefs of Police Association.

No law enforcement officer may solicit funds as provided by section 1 of this Act while in uniform. The chief administrator of each law enforcement agency shall provide the Maine Chiefs of Police Association with a list of those law enforcement officers the chief administrator has authorized to solicit funds as provided by section 1 of this Act. The Maine Chiefs of Police Association shall maintain a list of those authorized to solicit funds as provided by section 1 of this Act.

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

Effective June 20, 1989.

CHAPTER 48

H.P. 563 - L.D. 761

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Alcoholism Prevention, Education, Treatment and Research Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government 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 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:

Appropriations and allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1990, and June 30, 1991, the following sums as designated in the following tabulations are appropriated or allocated out of any money not otherwise appropriated or allocated.

1989-90 1990-91

DEPARTMENT OF CORRECTIONS

Correctional Services

Other Special Revenue

Positions - Other Count	(4.5)	(4.5)
Personal Services	131,196	133,610
All Other	414,241	411,827
Fund Total	545,437	545,437

Other Participating Funds

**General Fund

Positions - Legislative Count	(2.0)	(2.0)
All Other	217,329	217,329
Fund Total	217,329	217,329

SUMMARY - CORRECTIONAL SERVICES

Positions - Legislative Count	(2.0)	(2.0)
Positions - Other Count	(4.5)	(4.5)
Personal Services	131,196	133,610
All Other	631,570	629,156
Program Total	762,766	762,766

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES

BUREAU OF INSTRUCTION

Alcohol and Drug Education Services

Other Special Revenue

Positions - Legislative Count	(16.0)	(16.0)
Personal Services	577,579	593,954
All Other	578,303	560,164
Capital Expenditures	20,000	20,000
Fund Total	1,175,882	1,174,118

Other Participating Funds

**General Fund

Positions - Legislative Count	(2.0)	(2.0)
Personal Services	85,738	86,708
All Other	38,940	39,656
Fund Total	124,678	126,364

SUMMARY - ALCOHOL AND DRUG EDUCATION SERVICES

Positions - Legislative Count	(18.0)	(18.0)
Personal Services	663,317	680,662
All Other	617,243	599,820
Capital Expenditures	20,000	20,000
Program Total	1,300,560	1,300,482

DEPARTMENT OF HUMAN SERVICES

ALCOHOL AND DRUG ABUSE PLANNING COMMITTEE
Alcohol and Drug Planning

Other Special Revenue

Positions - Legislative Count	(4.0)	(4.0)
Personal Services	110,634	114,916
All Other	133,109	128,827
Fund Total	243,743	243,743

Other Participating Funds

**General Fund

Positions - Legislative Count	(1.0)	(1.0)
Personal Services	43,269	43,781
All Other	14,366	14,934
Fund Total	57,635	58,715

Federal Block Grant Fund

Positions - Legislative Count	(2.0)	(2.0)
Personal Services	67,117	67,405
All Other	21,254	24,391
Fund Total	88,371	91,796

SUMMARY - ALCOHOL AND DRUG PLANNING

Positions - Legislative Count	(7.0)	(7.0)
Personal Services	221,020	226,102
All Other	168,729	168,152
Program Total	389,749	394,254

OFFICE OF ALCOHOLISM AND DRUG ABUSE PREVENTION
Alcoholism and Drug Abuse Prevention - Human Services

Other Special Revenue

All Other	3,029,244	3,029,244
Fund Total	3,029,244	3,029,244

Other Participating Funds

**General Fund

Positions - Legislative Count	(5.0)	(5.0)
Personal Services	175,128	179,993
All Other	2,400,864	2,536,597
Capital Expenditures	1,999	1,089
Fund Total	2,577,991	2,717,679

Federal Block Grant Fund

Positions - Legislative Count	(15.0)	(15.0)
Personal Services	489,137	497,031
All Other	1,892,492	1,881,173
Fund Total	2,381,629	2,378,204

SUMMARY - ALCOHOLISM AND DRUG ABUSE PREVENTION - HUMAN SERVICES

Positions - Legislative Count	(20.0)	(20.0)
Personal Services	664,265	677,024
All Other	7,322,600	7,447,014
Capital Expenditures	1,999	1,089
Program Total	7,988,864	8,125,127

DEPARTMENT OF HUMAN SERVICES

Other Special Revenue

Positions - Legislative Count	(4.0)	(4.0)
Personal Services	110,634	114,916
All Other	3,162,353	3,158,071
Fund Total	3,272,987	3,272,987

Other Participating Funds

**General Fund

Positions - Legislative Count	(6.0)	(6.0)
Personal Services	218,397	223,774

All Other	2,415,230	2,551,531
Capital Expenditures	1,999	1,089
Fund Total	<u>2,635,626</u>	<u>2,776,394</u>
Federal Block Grant Fund		
Positions - Legislative Count	(17.0)	(17.0)
Personal Services	556,254	564,436
All Other	1,913,746	1,905,564
Fund Total	<u>2,470,000</u>	<u>2,470,000</u>
DEPARTMENT OF HUMAN SERVICES		
Positions - Legislative Count	(27.0)	(27.0)
Personal Services	885,285	903,126
All Other	7,491,329	7,615,166
Capital Expenditures	1,999	1,089
Umbrella Total	<u>8,378,613</u>	<u>8,519,381</u>

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

BUREAU OF MENTAL HEALTH
Mental Health Services - Community

Other Special Revenue		
Positions - Legislative Count	(1.0)	(1.0)
Personal Services	46,511	49,767
All Other	793,569	790,313
Fund Total	<u>840,080</u>	<u>840,080</u>
Other Participating Funds		
Federal Block Grant Fund		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	177,474	179,602
All Other	878,516	877,620
Fund Total	<u>1,055,990</u>	<u>1,057,222</u>

SUMMARY - MENTAL HEALTH SERVICES COMMUNITY

Positions - Legislative Count	(6.0)	(6.0)
Personal Services	223,985	229,369
All Other	1,672,085	1,667,933
Program Total	<u>1,896,070</u>	<u>1,897,302</u>

CURRENT SERVICES

Other Special Revenue		
Positions - Legislative Count	(21.0)	(21.0)
Positions - Other Count	(4.5)	(4.5)
Personal Services	865,920	892,247
All Other	4,948,466	4,920,375
Capital Expenditures	20,000	20,000
Part Total	<u>5,834,386</u>	<u>5,832,622</u>
Other Participating Funds		
**General Fund		
Positions - Legislative Count	(10.0)	(10.0)
Personal Services	304,135	310,482
All Other	2,671,499	2,808,516
Capital Expenditures	1,999	1,089
Fund Total	<u>2,977,633</u>	<u>3,120,087</u>
Federal Block Grant Fund		
Positions - Legislative Count	(22.0)	(22.0)
Personal Services	733,728	744,038
All Other	2,792,262	2,783,184
Fund Total	<u>3,525,990</u>	<u>3,527,222</u>

CURRENT SERVICES

Positions - Legislative Count	(53.0)	(53.0)
Positions - Other Count	(4.5)	(4.5)
Personal Services	1,903,783	1,946,767
All Other	10,412,227	10,512,075
Capital Expenditures	21,999	21,089
Part Total	<u>12,338,009</u>	<u>12,479,931</u>

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1989.

Effective July 1, 1989.

CHAPTER 49

H.P. 1202 - L.D. 1672

An Act Concerning Public Water Supplies in the Mid-coast Area

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

Whereas, it is of interest to the Camden and Rockland Water Company to start planning for the future water needs of the region as soon as possible; and

Whereas, the present moratorium on the water company's use of Hobbs' and Fish's Ponds would run out before the end of the 90-day period after adjournment of 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. P&SL 1880, c. 212, §1, as amended by P&SL 1985, c. 40, §1, is repealed and the following enacted in its place:

Sec. 1. Source of supply. The Camden and Rockland Water Company is authorized for the purposes named in its act of incorporation and amendments to take, detain, use, store and appropriate water from Hobbs' Pond, Fish's Pond, Grassy Pond and Megunticook Lake in the Town of Hope; Mirror Lake and Rocky Pond in the Town of Rockport; Spring Brook, Megunticook Lake and Megunticook River in the Town of Camden; Megunticook Lake in the Town of Lincolnville; Oyster River in the County of Knox; and all of the tributaries of the ponds, lakes, brooks and rivers, including Spruce Mountain Brook, and all of the streams and ponds leading into, or tributary to any stream connecting, Fish's Pond and Hobbs' Pond. The authority herein and hereby granted shall also include and give the right to the company to withdraw the water from the ponds,