

# 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.

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J.S. McCarthy Company  
Augusta, 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 FOURTEENTH LEGISLATURE**

**1989**

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A certain lot or parcel of land situated on the westerly side of U.S. Highway No. 1A in that part of Dedham, Maine, known as the Lucerne-in-Maine Village Corporation, bounded and described as follows, viz: beginning at a stake on the westerly sideline of said highway 1,000 feet, more or less, southerly along said highway from the Holden-Dedham town line; thence continuing southerly and along said westerly sideline of said highway 725 feet to a stake; thence westerly at right angles to said highway, 450 feet to a stake; thence northerly, at right angles to the last above described line, 725 feet to a stake; thence easterly 450 feet to the point of beginning.

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

Effective June 23, 1989.

## CHAPTER 58

H.P. 985 - L.D. 1363

### An Act Authorizing and Directing the Department of Inland Fisheries and Wildlife and the Bangor Water District to Develop a Plan for the Protection of Sunapee Charr Habitat at Floods Pond

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

**Sec. 1. Legislative findings.** The Sunapee charr, *Salvelinus alpinus oquassa*, is a unique species of fish found in large numbers only in Floods Pond in the Town of Otis, in Hancock County. The protection of Sunapee charr habitat at Floods Pond is essential to the future survival of this unique species. Floods Pond serves as the major water supply for the Bangor area. The drain on Floods Pond by the Bangor Water District to satisfy the water needs of the Bangor area causes annual fluctuations in the water level. Extreme drawdowns in the water level at Floods Pond pose a serious threat to the habitat necessary for Sunapee charr reproduction. Water demands in the Bangor area are likely to increase over the next several years as a result of increased development.

**Sec. 2. Sunapee charr habitat protection; plan required.** The Department of Inland Fisheries and Wildlife and the Bangor Water District are authorized and directed to jointly develop a long-range plan to assure protection of Sunapee charr habitat at Floods Pond.

**Sec. 3. Report submitted.** The department and the Bangor Water District shall submit a report to the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife no later than March 1, 1990, in which they explain the details of their long-range plan to protect Sunapee charr habitat at Floods Pond, including deadlines for each phase of the plan.

See title page for effective date.

## CHAPTER 59

H.P. 1271 - L.D. 1767

### An Act Authorizing Piscataquis County to Expend and Borrow up to an Additional \$350,000 for Renovation and Expansion of Jail Facilities

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

**Whereas,** the county jail facility located in Dover-Foxcroft is in need of immediate renovation and expansion in order to ensure the safety and well-being of the inhabitants of Piscataquis County; and

**Whereas,** the Legislature authorized the county commissioners of Piscataquis County to borrow and expend funds not to exceed \$2,400,000 for renovation and expansion of the county jail facility and the voters of Piscataquis County approved and authorized this borrowing and expenditure; and

**Whereas,** additional funds are required to complete the project and ensure that there will be an adequate and proper jail facility in Piscataquis County; 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:

P&SL 1985, c. 105, §4-A is enacted to read:

**Sec. 4-A. Additional expenditure and borrowing authorized.** In addition to the sum authorized by section 1 to be raised and expended, the county commissioners of Piscataquis County are authorized to raise and expend a sum not to exceed \$350,000 for renovation and expansion of the county jail facility located in Dover-Foxcroft.

To provide the additional sum, the treasurer of Piscataquis County, with the approval of the county commissioners, may borrow funds not to exceed \$350,000 and may issue bonds and temporary notes therefor, which bonds and temporary notes shall be subject to sections 3 and 4 of this Act to the same extent as if they were authorized by sections 3 and 4 of this Act.

Any grants of money or other assistance received by Piscataquis County for the purposes authorized by section 1 of this Act prior to the issuance of the bonds or temporary notes authorized by this section shall be applied to the cost of the project in lieu of the issuance of such bonds and temporary notes and the authorized amount of such bonds and temporary notes shall be reduced by the amount of the grants or other assistance.

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

Effective June 26, 1989.

**CHAPTER 60**

**H.P. 514 - L.D. 694**

**An Act Making Unified Appropriations and Allocations for the Expenditures of State Government and Inland Fisheries and Wildlife 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, and Making Supplemental Allocations Necessary to the Proper Operations of State Government**

**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:**

**PART A**

**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
UNIFIED BUDGET ACT - INLAND FISHERIES & WILDLIFE CURRENT SERVICES DEPARTMENT OF INLAND FISHERIES AND WILDLIFE		
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE Office of the Commissioner - Inland Fisheries and Wildlife		
Other Special Revenue		
Positions - Legislative Count	( 19.0)	( 19.0)
Personal Services	639,335	652,675

All Other	453,399	418,431
Capital Expenditures	70,700	23,440
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Fund Total	1,163,434	1,094,546
Other Participating Funds		
Federal Expenditure Fund		
Personal Services	74,700	74,700
All Other	27,748	29,571
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Fund Total	102,448	104,271

**SUMMARY - OFFICE OF THE COMMISSIONER - INLAND FISHERIES AND WILDLIFE**

Positions - Legislative Count	( 19.0)	( 19.0)
Personal Services	714,035	727,375
All Other	481,147	448,002
Capital Expenditures	70,700	23,440
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Program Total	1,265,882	1,198,817

**BUREAU OF ADMINISTRATIVE SERVICES (INLAND FISHERIES AND WILDLIFE) ADMINISTRATIVE SERVICES - INLAND FISHERIES AND WILDLIFE**

Other Special Revenue		
Positions - Legislative Count	( 21.0)	( 21.0)
Personal Services	616,067	627,128
All Other	624,378	545,933
Capital Expenditures	12,544	36,537
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Fund Total	1,252,989	1,209,598

**Other Participating Funds Federal Expenditure Fund**

Personal Services	8,000	8,000
All Other	28	28
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Fund Total	8,028	8,028

**SUMMARY - ADMINISTRATIVE SERVICES - INLAND FISHERIES AND WILDLIFE**

Positions - Legislative Count	( 21.0)	( 21.0)
Personal Services	624,067	635,128
All Other	624,406	545,961
Capital Expenditures	12,544	36,537
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Program Total	1,261,017	1,217,626

**Licensing Services - Inland Fisheries and Wildlife**

Other Special Revenue		
Positions - Legislative Count	( 20.0)	( 20.0)
Positions - Other Count	( 3.0)	( 3.0)
Personal Services	460,077	471,902
All Other	665,390	693,931
Capital Expenditures	5,463	5,657
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Fund Total	1,130,930	1,171,490

**Other Participating Funds Federal Expenditure Fund**

Personal Services	29,264	29,264
All Other	20,175	20,175
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Fund Total	49,439	49,439

**SUMMARY - LICENSING SERVICES - INLAND FISHERIES AND WILDLIFE**

Positions - Legislative Count	( 20.0)	( 20.0)
Positions - Other Count	( 3.0)	( 3.0)
Personal Services	489,341	501,166
All Other	685,565	714,106