

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

August 21, 1989 to August 22, 1989

P&SL 1989, c. 85, §11, 2nd ¶ is repealed and the following enacted in its place:

“Shall a bond issue be authorized in the amount of \$20,210,600 to make capital improvements at all campuses of the Maine Vocational-Technical Institute System?”

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

Effective August 23, 1989.

CHAPTER 93

S.P. 672 - L.D. 1793

An Act to Fund and Implement Collective Bargaining Agreements with Certain Employees of the Maine Vocational-Technical Institute System

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

Whereas, certain obligations and expenses incident to the operation of tentative Maine Vocational-Technical Institute System collective bargaining agreements would become due and payable at the beginning of the next fiscal year; and

Whereas, pursuant to the Maine Revised Statutes, Title 26, section 1026, subsection 1, the Legislature must approve cost items of tentative collective bargaining agreements negotiated on behalf of the Maine Vocational-Technical Institute System employees; 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

Sec. 1. Appropriation from the General Fund. There are appropriated from the General Fund to the Board of Trustees of the Maine Vocational-Technical Institute System the sum of \$217,369 for the fiscal year ending June 30, 1990, and the sum of \$437,139 for the fiscal year ending June 30, 1991, to offset salary and benefit costs for certain Maine Vocational-Technical Institute System employees as a result of recently ratified collective bargaining agreements.

Sec. 2. Collective bargaining agreement implementation. Effective at the beginning of the pay

weeks commencing closest to July 1, 1989, and July 1, 1990, the economic items contained in the collective bargaining agreements between the Board of Trustees of the Maine Vocational-Technical Institute System and the Maine State Employees Association for the support services and supervisory bargaining units shall become effective.

PART B

Sec. 1. Appropriation from the General Fund. There are appropriated from the General Fund to the Board of Trustees of the Maine Vocational-Technical Institute System the sum of \$23,964 for the fiscal year ending June 30, 1990, and the sum of \$46,700 for the fiscal year ending June 30, 1991, to offset salary and benefit costs for certain Maine Vocational-Technical Institute System employees as a result of recently ratified collective bargaining agreements.

Sec. 2. Collective bargaining agreement implementation. Effective at the beginning of the pay weeks commencing closest to July 1, 1989, and July 1, 1990, the economic items contained in the collective bargaining agreements between the Board of Trustees of the Maine Vocational-Technical Institute System and the American Federation of State, County and Municipal Employees for the institutional services bargaining unit shall become effective.

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

Effective August 23, 1989.

CHAPTER 94

H.P. 1301 - L.D. 1799

An Act to Revise the Charter of the Madawaska Water District

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

Whereas, the Madawaska Water District was created by Private and Special Law 1953, chapter 17 and its charter was amended by Private and Special Law 1961, chapter 97, Private and Special Law 1965, chapter 52 and Private and Special Law 1973, chapter 49; and

Whereas, the Madawaska Water District has \$300,000 principal amount of bonds outstanding that mature November 1, 1989, and must be refunded; and

Whereas, section 7 of the Madawaska Water District charter provides that 10% of the residents qualified to vote in the district constitutes a quorum at any meeting of the district; and

Whereas, section 11 of the Madawaska Water District charter requires a district vote and a vote of the trustees of the district to issue bonds or notes to refund outstanding bonds; and

Whereas, the provisions regarding a quorum and district vote to refund bonds make it uncertain whether the district can secure the necessary approval required under its present charter for the refunding of its outstanding bonds by November 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. P&SL 1953, c. 17, §7, 3rd ¶ is repealed as follows:

~~Ten per cent of the voters qualified to vote in said district shall constitute a quorum.~~

Sec. 2. P&SL 1953, c. 17, §11, first ¶, as amended by P&SL 1961, c. 97, §3, is further amended to read:

For accomplishing the purposes of this act and for such other expenses as may be necessary for the carrying out of said purposes, said district, through its trustees, ~~with district vote subject to the provisions of the Maine Revised Statutes, Title 35-A, section 6304,~~ is authorized to issue its notes and bonds in one series or in separate series from time to time and to make subsequent renewals of the same in whole or in part to an amount not exceeding the sum of \$500,000, outstanding at any one time. Said notes and bonds shall be legal obligation of said district, which is hereby declared to be a quasi-municipal corporation within the meaning of the ~~Revised Statutes of Maine, 1954, chapter 90-A, section 23,~~ Maine Revised Statutes, Title 30-A, section 5701, as amended, and all provisions of said section shall be applicable thereto, said notes and bonds shall be a legal investment for savings banks in the State of Maine, and shall be exempt from all present taxes. The said district may refund and reissue, subject to the provisions of the Maine Revised Statutes, Title 35-A, section 6304, from time to time, any ~~one or in separate series,~~ of its notes and bonds and other evidence of indebtedness. Each bond or note shall have inscribed on its face the words "Madawaska Water District Bond," or "Madawaska Water District Note," as the case may be, and shall bear interest at such rates as the trustees shall determine. If said bonds be issued from time to time, each authorized issue shall constitute a separate loan. Each loan shall be payable in annual amounts of principal, beginning not more than one year from its date and made to run for such period as said trustees shall determine.

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

Effective August 23, 1989.

CHAPTER 95

H.P. 1307 - L.D. 1811

An Act to Clarify the Procedures for Placement of Existing Utility Lines Underground

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

Whereas, there is ambiguity in the current law as to whether, and in what manner, existing utility lines may be placed underground; 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:

I.B. 1975 is amended to read:

Sec. 1. Bigelow Preserve. The Department of Conservation, including the several bureaus and agencies therein, and the Department of Inland Fisheries and ~~Game Wildlife~~ are hereby authorized and directed to acquire approximately 40,000 acres of land on and around Bigelow Mountain in Franklin and Somerset Counties for a public preserve to be known as the Bigelow Preserve. The Preserve shall include generally all land in Wyman and North One Half township north of Stratton Brook and Stratton Brook Pond, and all land in Dead River township south and east of Flagstaff Lake. All public lots within or contiguous to this area shall be included within the Bigelow Preserve.

Sec. 2. Administration and Acquisition. The Preserve shall be administered by the Departments of Conservation and Inland Fisheries and ~~Game Wildlife~~. These Departments shall seek and use funds for the acquisition of the land necessary for the Bigelow Preserve from state bond issues and appropriations, federal funds, and other sources now or hereafter available to them. Acquisition shall be coordinated by the Department of Conservation. Sufficient property rights and interests shall be acquired to accomplish the purposes of this Act.

Sec. 3. Purpose. The purpose of this Act is to set aside land to be retained in its natural state for the use and enjoyment of the public. The Preserve shall be managed for outdoor recreation such as hiking, fishing, and hunting, and for timber harvesting. Timber harvesting within