

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

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
1991

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

poses. No part of the assets and income may inure to the benefits of any member of this corporation or any individual, provided however, that nothing in this section contained may be construed to prevent the payment by this corporation of salaries and expenses to employees of this corporation and of expenses to directors and officers of this corporation.

B. This corporation has all corporate powers and is subject to all corporate limitations as set forth in the Maine Revised Statutes, Title 13-B, as amended.

C. Any part of the net earnings of this corporation may not inure to the benefit of, or be distributable to, its members, directors, officers or other private persons, except that this corporation is authorized and empowered to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of its purposes.

D. This corporation may not participate in any partisan politics or participate in any public campaign on behalf of any candidate for public office.

E. Notwithstanding any other provision of this charter, this corporation may not carry on any activities not permitted to be carried on by a corporation exempt from federal income tax under the Internal Revenue Code of 1954, Section 501(c)(3), as amended, or by a corporation, contributions to which are deductible under the Internal Revenue Code of 1954, Section 170(c)(2), as amended.

F. Upon termination of this corporation, after all debts, liabilities and obligations of this corporation have been paid and discharged or adequate provisions have been made for their payment and discharge, all remaining property and assets of this corporation must be distributed proportionately among the member communities in the same manner as requests for contributions from them were last computed before termination.

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

Effective June 21, 1991.

CHAPTER 32

H.P. 820 - L.D. 1174

An Act to Make Allocations from Various Funds of the Department of Environmental Protection for the Fiscal Years Ending June 30, 1992 and June 30, 1993

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 department will become due and payable on or immediately after July 1, 1991; 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 the Ground Water Oil Clean-up Fund. Income to the Ground Water Oil Clean-up Fund for the next 2 fiscal years, from July 1, 1991 to June 30, 1992 and from July 1, 1992 to June 30, 1993 must be segregated, apportioned and disbursed as designated in the following schedule:

	1991-92	1992-93
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Positions - Other Count	(37.0)	(37.0)
Personal Services	\$1,452,312	\$1,586,941
All Other	10,741,570	11,279,424
Capital Expenditures	13,000	33,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	\$12,206,882	\$12,899,365

Sec. 2. Allocation of the Maine Coastal and Inland Surface Clean-up Fund. Income to the Maine Coastal and Inland Surface Clean-up Fund for the next 2 fiscal years, from July 1, 1991 to June 30, 1992 and from July 1, 1992 to June 30, 1993 must be segregated, apportioned and disbursed as designated in the following schedule:

	1991-92	1992-93
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Positions - Other Count	(16.0)	(16.0)
Personal Services	\$670,510	\$717,541
All Other	2,052,837	2,167,250
Capital Expenditures	10,000	30,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	\$2,733,347	\$2,914,791

Sec. 3. Allocation of the Maine Hazardous Waste Fund. Income to the Maine Hazardous Waste

Fund for the next 2 fiscal years, from July 1, 1991 to June 30, 1992 and from July 1, 1992 to June 30, 1993 must be segregated, apportioned and disbursed as designated in the following schedule:

	1991-92	1992-93
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Positions - Other Count	(19.0)	(19.0)
Personal Services	\$747,850	\$814,010
All Other	367,303	390,270
Capital Expenditures	10,000	30,000
DEPARTMENT OF ENVIRON- MENTAL PROTECTION		
TOTAL	\$1,125,153	\$1,234,280

Sec. 4. Allocation of the Radioactive Waste Evaluation Fund. Income to the Radioactive Waste Evaluation Fund for the next 2 fiscal years, from July 1, 1991 to June 30, 1992 and from July 1, 1992 to June 30, 1993 must be segregated, apportioned and disbursed as designated in the following schedule:

	1991-92	1992-93
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Technical Studies		
Positions - Other Count	(3.5)	(3.5)
Personal Services	\$133,495	\$144,602
All Other	44,965	38,719
TOTAL	\$178,460	\$183,321
Radioactive Waste Evaluation Fund		
Personal Services	\$2,000	\$2,000
All Other	17,817	17,793
TOTAL	\$19,817	\$19,793
DEPARTMENT OF ENVIRON- MENTAL PROTECTION		
TOTAL	\$198,277	\$203,114

Sec. 5. Adjustments to allocations. Allocations made in sections 1 to 4 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. 6. Encumbered balance at year end. At the end of each fiscal year, all encumbered balances may not be carried more than once.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1991.

Effective July 1, 1991.

CHAPTER 33

H.P. 1269 - L.D. 1840

An Act to Amend the Boundaries Between the City of Saco and the Town of Old Orchard Beach

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

P&SL 1883, c. 248, §1, as amended by PL 1981, c. 42, is further amended to read:

Sec. 1. Boundaries changed and extended; payment of damages. All that part of the city of Saco lying within the following described lines and boundaries, namely; commencing at the easterly corner between the said city of Saco and the town of Scarborough; thence by the line between said city of Saco and said town of Scarborough northwesterly to a stone in the sea wall; thence ~~north forty two degrees and fifty five minutes west, N 42°55' W~~ by a set line ~~six hundred ninety three 693~~ rods, to a granite stone placed at a point where the line between said city of Saco and said town of Scarborough intersects with a line in the said city of Saco known as the Granger line; thence ~~southerly, forty seven degrees and twelve minutes west, eight hundred sixty three and one half rods S 47°12' W~~ 5,416 feet, more or less, to a granite stone inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the southwesterly side of the old location of the "East Old Orchard" Road; thence continuing on the same course 4,252.10 feet to a point located N 43°42'45" W 4.50 feet from a granite monument with drill hole found set in the ground; thence N 43°42'45" W 31.54 feet to a granite monument with drill hole found set in the ground; thence N 46°40'30" E 273.94 feet to the base of an old loose granite monument found set in the ground; thence N 47°11'45" W 148.88 feet to a granite monument with drill hole found set in the ground; thence S 55°19'45" W 1,451.87 feet to an iron pipe found driven into the ground; thence S 47°57'30" E 389.34 feet to a point located N 47°57'30" W 1.97 feet from a granite monument with drill hole found set in the ground; thence S 47°12'00" W 862.86 feet to a granite monument with iron rod inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the "Middle Line" so-called; thence continuing on the same course 3,850 feet, more or less, to a granite stone on the bank of Goose Fair Brook in said city of Saco; thence southeasterly by said Goose Fair Brook to the sea; thence southeasterly, on the same course 1,000 feet to a point; thence northeasterly, parallel to and 1,000 feet distant from the shore to a point 1,000 feet southeasterly from the boundary