

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

voters are present at such the special town meeting shall equal at least 10% of the total number of votes cast for Governor in said town of Vassalboro at the next preceding gubernatorial election.

See title page for effective date.

CHAPTER 40

H.P. 1329 - L.D. 1920

An Act to Allow the Department of Environmental Protection to Process an Application by Ivan Davis to Rebuild a Dam on the St. George River

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

Whereas, on or about November 30, 1989, Ivan Davis submitted an application to rebuild a dam on the St. George River in Liberty to the Department of Environmental Protection; and

Whereas, Mr. Davis' application included no proposals for development or redevelopment of hydroelectric generating or hydromechanical facilities; and

Whereas, the Board of Environmental Protection proposed and the Legislature enacted a reclassification of the water quality of the waters affected by the application from Class C to Class AA under the Maine Revised Statutes, Title 38, sections 465 and 467 effective July 14, 1990; and

Whereas, Mr. Davis' application was not complete for processing on the effective date of the reclassification due to questions regarding Mr. Davis' right, title and interest in the property on which the proposed dam was to be rebuilt; and

Whereas, the change in classification precludes action on Mr. Davis' application; 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:

Processing of a prior application for dam rebuilding and maintenance authorized. Notwithstanding the Maine Revised Statutes, Title 38, section 465, subsection 1 and section 467, subsection 14, paragraph A, subparagraph (1), the Department of Environmental Protection shall process an application by

Ivan Davis if it is substantially identical to an application previously submitted by Mr. Davis on or about November 30, 1989 for a permit, pursuant to Title 38, section 480-C, to rebuild and maintain the dam on the St. George River in Liberty, which is the first dam below the outlet of Lake St. George and is adjacent to land owned by Ivan Davis. The department shall process the application as if the water quality classification of the waters in question were classified under Title 38, section 465, subsection 2. This Act is repealed on January 1, 1992 if, prior to this date, Mr. Davis has not submitted a complete application to the department that is substantially identical to an application previously submitted by Mr. Davis on or about November 30, 1989.

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

Effective June 24, 1991.

CHAPTER 41

H.P. 1363 - L.D. 1951

An Act to Provide Additional Funds for Debt Service Payments for the Fiscal Year Ending 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 will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses will become due and payable prior to 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:

Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

TREASURER OF STATE

Debt Service - Treasury

All Other

\$417,523

Provides funds to meet June 1991 debt service obligations.

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

Effective June 26, 1991.

CHAPTER 42

S.P. 774 - L.D. 1968

An Act to Authorize Payment of Payroll Obligations to Certain State Employees for Work Already Performed for which Payment was Scheduled on July 1, 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 will not terminate before the expenditures of this Act are necessary; and

Whereas, certain obligations and expenses 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. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide

Personal Services \$5,500,000

Provides for the appropriation of funds to make salary payments to Cycle A payroll employees for work performed in fiscal year 1990-1991 for which payment was scheduled to be made on July 1, 1991. Any funds not expended for this purpose lapse to the General Fund.

Sec. 2. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1991-92

TRANSPORTATION, DEPARTMENT OF

Departmentwide

Personal Services \$2,300,000

Provides funds to make salary payments to Cycle A payroll employees for work performed in fiscal year 1990-91 for which payment was scheduled to be made on July 1, 1991. Any funds not expended for this purpose lapse to the Highway Fund.

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

Effective July 3, 1991.

CHAPTER 43

S.P. 776 - L.D. 1971

An Act to Authorize Payment of Payroll Obligations to Certain State Employees for Work Performed for Which Payment Was Scheduled for July 8, 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 will not terminate before the expenditures of this Act are necessary; and

Whereas, certain obligations and expenses will become due and payable on or immediately after July 8, 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. P&SL 1991, c. 42, §1 is amended by adding at the end a new sentence to read: