

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

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purpose of this referendum.

Effective pending referendum.

CHAPTER 54

S.P. 766 - L.D. 1962

An Act to Allow a Referendum in Sagadahoc County Regarding a Bi-county Work Center with Kennebec County

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

Whereas, the adjournment date of the First Regular Session of the 115th Legislature is uncertain; and

Whereas, Sagadahoc County has an immediate need for housing for prisoners; and

Whereas, Sagadahoc County may have an opportunity to cooperate with Kennebec County on a detention facility, and other opportunities may be available; and

Whereas, to meet the immediate need, Sagadahoc County needs a referendum to obtain consent of the county in November; and

Whereas, the Maine Revised Statutes, Title 30-A, section 934 incorporates by reference Title 30-A, section 122, which requires the question to be decided at municipalities' annual meetings or elections for choosing state or municipal officers; and

Whereas, those elections, which will not take place until 1992, will not meet the proposed schedule; and

Whereas, Title 30-A, section 454 requires clarification regarding Sagadahoc County's authorization to own a detention facility outside the county seat or county; and

Whereas, Sagadahoc County may have to issue bonds for the detention facility, which must first be approved by 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. Approval of voters; Sagadahoc County. Notwithstanding the Maine Revised Statutes, Title 30-A, sections 121, 122 and 934, Sagadahoc County may seek approval of the voters for a detention facility at the statewide election to be held in November 1991.

Sec. 2. Ownership or joint ownership by Sagadahoc County of detention facility outside county seat or county. Consistent with the apparent intent of the Maine Revised Statutes, Title 30-A, section 454, Sagadahoc County may own, or own jointly with another county, a detention facility outside the county seat or county.

Notwithstanding Title 30-A, sections 121 and 122, Sagadahoc County may alone own or provide a detention facility outside the county.

Sec. 3. Approval of Legislature. Subject to approval of the voters as outlined in section 1 of this Act, the Legislature under the Maine Revised Statutes, Title 30-A, section 936 authorizes Sagadahoc County to issue bonds for a detention facility in an amount not to exceed \$500,000 and with a maturity not to exceed 30 years.

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

Effective July 8, 1991.

CHAPTER 55

H.P. 648 - L.D. 922

An Act to Make Allocations from the Public Utilities Commission Regulatory Fund and the Public Utilities Commission Reimbursement Fund 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 Public Utilities Commission 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 Public Utilities Commission Regulatory Fund. Income to the Public Utilities Commission Regulatory 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
PUBLIC UTILITIES COMMISSION		
Public Utilities - Administrative Division		
Positions - Legislative Count	(68.5)	(68.5)
Positions - Other Count	(1.0)	(1.0)
Personal Services	\$2,818,317	\$3,090,428
All Other	554,105	265,603
Capital Expenditures	5,578	21,969
Allocates funds from the Public Utilities Commission Regulatory Fund.		
PUBLIC UTILITIES COMMISSION SECTION 1, TOTAL ALLOCATIONS	\$3,378,000	\$3,378,000

Sec. 2. Allocation of the Public Utilities Commission Reimbursement Fund. Income to the Public Utilities Commission Reimbursement 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
PUBLIC UTILITIES COMMISSION		
Public Utilities - Administrative Division		
All Other	\$225,000	\$225,000
Allocates funds from the Public Utilities Commission Reimbursement Fund - Filing Fees.		
PUBLIC UTILITIES COMMISSION SECTION 2, TOTAL ALLOCATION	\$225,000	\$225,000

Sec. 3. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor, to cover specifically those adjustments determined to be necessary under any salary plan approved by the Legislature, and those reclassifications or range changes that have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

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

Effective July 8, 1991.

CHAPTER 56

H.P. 1295 - L.D. 1872

An Act Making Additional Allocations for the Expenditure of Funds Received by the State as a Result of the Federal Court Orders in the Stripper Well Oil Overcharge Case, the Exxon Oil Overcharge Case and the Diamond Shamrock Oil Overcharge Case

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 incident to the operation of certain state departments 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

Sec. A-1. Allocation. The following funds are allocated from the Stripper Well Fund to carry out the purposes of this Part.

	1990-91	1991-92	1992-93
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF			
Maine School and Hospital Conservation Program			
All Other		(\$44,963)	
Deallocates remaining unobligated balance from the Maine School and Hospital Conservation Program as established by Private and Special Law 1987, chapter 119.			