

# 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.

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J.S. McCarthy Company  
Augusta, Maine  
1991

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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 FIFTEENTH LEGISLATURE**

**1991**

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**Sec. 3. Agreements.** Before the State Board of Education grants concept approval for the school construction project, the Board of Directors of the Maine School Administrative District Number 53 and the Trustees of Maine Central Institute shall negotiate a maintenance and use agreement for the building that must be submitted to the voters of Maine School Administrative District Number 53 for approval as part of the article authorizing the issuance of bonds or notes of the district for the school construction project. Successor maintenance and use agreements may be approved by the voters as part of the article approving any subsequent tuition contract between Maine School Administrative District Number 53 and the Trustees of Maine Central Institute.

**Sec. 4. Agreement provisions.**

1. The maintenance and use agreement must include provisions that:

A. Govern the responsibilities of Maine School Administrative District Number 53 and the Trustees of Maine Central Institute regarding maintenance of the building and grounds;

B. Govern the authority of Maine School Administrative District Number 53 and the Trustees of Maine Central Institute to regulate the use of the building and grounds;

C. Allocate responsibility for maintaining insurance on the building and grounds;

D. Ensure that the building will be used primarily to provide education programs to the students of Maine School Administrative District Number 53;

E. Ensure that the insured value of the building is not included in Maine Central Institute's insured value factor for purposes of calculating the tuition rate under the Maine Revised Statutes, Title 20-A, section 5806;

F. Govern the term of the agreement, except that the term may not extend beyond 10 years or the remaining term of the tuition contract between Maine School Administrative District Number 53 and the Trustees of Maine Central Institute at the time the building is completed, whichever is shorter; and

G. Ensure that if the tuition agreement between Maine School Administrative District Number 53 and the Trustees of Maine Central Institute is terminated, the building and land remain the property of Maine School Administrative District Number 53.

2. Notwithstanding the provisions of the Maine Revised Statutes, Title 20-A, chapter 202, the agreement may provide that:

A. Maine Central Institute has a right of first refusal on the purchase of the building at fair market value if the school directors of Maine School Administrative District Number 53 decide to sell the building or convey it to the Town of Pittsfield;

B. The Trustees of Maine Central Institute may make payments to Maine School Administrative District Number 53 for the use of the building in an amount the parties determine appropriate;

C. A joint committee be established comprised of representatives of the Trustees of Maine Central Institute and the school directors of Maine School Administrative District Number 53; and

D. A joint committee established pursuant to paragraph C may have the responsibilities relating to the maintenance and use of the building during the term of the agreement as the parties may agree.

See title page for effective date.

## CHAPTER 63

H.P. 738 - L.D. 1042

### An Act to Make Allocations for the Administrative Expenses of the Department of Finance, Bureau of Alcoholic Beverages 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 of Finance, Bureau of Alcoholic Beverages and the State Liquor Commission 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 funds.** In order to provide for the necessary expenses of operation and administration of the Department of Finance, Bureau of Alcoholic Beverages and the State Liquor Commission, the following amounts, or as much as may be necessary, are

allocated from the revenues derived from operations of the State Alcoholic Beverages Fund.

	1991-92	1992-93
<b>FINANCE, DEPARTMENT OF</b>		
<b>Alcoholic Beverages - General Operation</b>		
Positions - Legislative Count	(236.0)	(236.0)
Positions - Other Count	(10.0)	(10.0)
Personal Services	7,887,634	8,439,515
All Other	3,775,554	3,983,533
<b>Alcoholic Beverages - General Operation</b>		
All Other (Liquor Freight)	481,250	517,400
<b>DEPARTMENT OF FINANCE</b>		
<b>TOTAL</b>	<b>\$12,144,438</b>	<b>\$12,940,448</b>

**Sec. 2. Allotments required.** Upon receipt of allotments duly approved by the Governor, based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures from these allocations on the basis of these allotments and not otherwise.

**Sec. 3. Legislative intent.** It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Act, applies to the administrative expenses only and that these allocations must be allotted and approved under the Maine Revised Statutes, Title 5. It is not intended to affect the use of the working capital provided for by Title 28-A, or other activities required of the State Liquor Commission by Title 28-A.

**Sec. 4. 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.

**Sec. 5. Exclusion.** Exclusive of sections 1 to 4, up to \$100,000 for Capital Expenditures may be expended in each fiscal year.

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

Effective July 1, 1991.

## CHAPTER 64

### H.P. 761 - L.D. 1095

#### An Act to Make Allocations for the Administrative Expenses of the Department of Finance, Bureau of Lottery, 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 Bureau of Lottery 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.** In order to provide for the necessary expenses of operation and administration of the Bureau of Lottery, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the State Lottery Fund.

	1991-92	1992-93
<b>FINANCE, DEPARTMENT OF</b>		
<b>Lottery Operations</b>		
Positions - Legislative Count	(43.0)	(43.0)
Personal Services	\$1,481,673	\$1,599,861
All Other	1,860,750	1,957,600
<b>DEPARTMENT OF FINANCE</b>		
<b>TOTAL</b>	<b>\$3,342,423</b>	<b>\$3,557,461</b>

**Sec. 2. Allotments required.** Upon receipt of allotments duly approved by the Governor, based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures from these allocations on the basis of these allotments and not otherwise.

**Sec. 3. Legislative intent.** It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Act, applies to the administrative expenses only and that these allocations are allotted and approved under the Maine Revised Statutes, Title 5.