

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION
December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION
January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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
1992

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

SECOND REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

on rates and surcharges of these changes to the workers' compensation insurance laws and shall conduct a hearing within 30 days after the filing is made. Evidence and argument must be limited to matters relevant to evaluation of the effect of these changes on rates and surcharges. The time limitations of Title 24-A, section 2363, subsections 3, 6, 11 and 12 do not apply. Any proceeding held pursuant to this Act is considered a filing for a rate change under the terms of Title 24-A, section 2363, subsection 9, paragraph B. Any rates and surcharges established by the decision of the Superintendent of Insurance in the pending proceeding and the valuation change are effective beginning July 1, 1992.

This section does not apply to any rate proceeding commenced on or after November 15, 1992.

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

Effective April 9, 1992.

CHAPTER 109

S.P. 972 - L.D. 2456

An Act Making Supplemental Appropriations from the General Fund for the Expenditures of State Government for the Fiscal Year Ending June 30, 1992

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 will become due and payable prior to July 1, 1992; 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

EXECUTIVE DEPARTMENT

Driver Education and Evaluation Programs - Substance Abuse

Positions - Legislative Count	(-2.0)
Personal Services	(\$22,900)
All Other	22,900

Provides for the transfer of funds from Personal Services to All Other through the elimination of one Rehabilitation Counselor II position and one Substance Abuse Division Supervisor position to provide funds for increased processing of first offenders in mandated programs.

EXECUTIVE DEPARTMENT TOTAL

\$-0-

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Atlantic Sea Run Salmon Commission

Personal Services	\$17,000
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Provides funds to meet remaining payroll obligations in fiscal year 1991-92.

Licensing and Registration

Personal Services	(17,000)
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Provides for the transfer of funds to meet payroll obligations.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

\$-0-

TOTAL APPROPRIATIONS

\$-0-

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

Effective April 9, 1992.

CHAPTER 110

H.P. 1769 - L.D. 2452

An Act to Amend the East Pittston Water District Charter

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

Whereas, changes need to be made to the charter of the East Pittston Water District; and

Whereas, the changes need to take effect immediately to ensure the proper operation of the district; 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 1987, c. 144, §13-A is enacted to read:

Sec. 13-A. State funds exempt from investigation. The management and allocation by the East Pittston Water District of a contribution of funds by the State under the Maine Revised Statutes, Title 38, section 568, subsection 2 and the income from those funds are not subject to investigation or review by the Public Utilities Commission under Title 35-A, section 310, 1302 or 1303, except upon request by the Department of Environmental Protection.

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

Effective April 9, 1992.

CHAPTER 111

S.P. 962 - L.D. 2434

An Act to Authorize a General Fund Bond Issue in the Amount of \$12,000,000 for Water Pollution Control Facilities Construction

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds for the construction of water pollution control facilities.

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

Sec. 1. Authorization of bonds to provide for the construction of water pollution control facilities. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and behalf of the State in an amount not exceeding \$12,000,000 to raise funds for the construction of water pollution control facilities as authorized by section 6. The

bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. 2. Records of bonds issued to be kept by the State Auditor and Treasurer of State. The State Auditor shall keep an account of the bonds, showing the number and amount of each, the date when payable and the date of delivery of the bonds to the Treasurer of State. The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the projects in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds. The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Department of Environmental Protection.

Sec. 6. Allocations from General Fund bond issue; cost of capital construction for water pollution control facilities. The proceeds of the sale of bonds must be expended as designated in the following schedule.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State revolving loan fund	\$5,500,000
Small community and overboard discharge programs	2,000,000
Water pollution control facilities	<u>4,500,000</u>

TOTAL ALLOCATIONS \$12,000,000

Sec. 7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the