

# 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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**RESOLVES**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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**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

**Sec. 1. Resolve 1989, c. 100, §8, amended. Resolved:** That Resolve 1989, c. 100, §8, is amended to read:

**Sec. 8. Report. Resolved:** That the Commission on Maine Lakes shall report its findings, together with any legislative recommendations, to the Joint Standing Committee on Energy and Natural Resources by ~~January 31~~ November 1, 1991; and be it further

; and be it further

**Sec. 2. Retroactivity. Resolved:** That this resolve applies retroactively to January 31, 1991.

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

Effective June 24, 1991.

## CHAPTER 38

S.P. 747 - L.D. 1943

### Resolve, Authorizing the Transfer of a Portion of Allagash Public Lot 1 to the Town of Allagash

**Transfer authorized. Resolved:** That the Director of the Bureau of Public Lands is authorized to convey by quit claim deed to the Town of Allagash, for fair market value, fee simple title to Lots 1, 2, 3, 4, 12, 13 and 14 as shown on the plan of land titled "Portion of Allagash Public Lot 1" dated June 1991, attached as Exhibit A, which is incorporated by reference in this resolve. The specified lots are a portion of Public Lot 1 in the Town of Allagash. The deeds must provide that the lots may be used only for the purpose of erecting one residential structure on each lot, except that one lot may be used to locate a community water supply system.

See title page for effective date.

## CHAPTER 39

S.P. 691 - L.D. 1837

### Resolve, to Allow the Department of Marine Resources to Convey Land

**Sec. 1. Department of Marine Resources; property transferred. Resolved:** That the Depart-

ment of Marine Resources on behalf of the State, may convey to the Bigelow Laboratory for Ocean Sciences a reasonable subdivision of land and buildings, including the main research building and associated maintenance building with no more than 2 acres of land. The transfer must be on equitable terms to benefit the people of the State as provided in section 2. The transfer must also provide for public access and use and restrictions on development on a parcel of land in the Town of Southport owned by the Bigelow Laboratory for Ocean Sciences and must permit joint development of that land by the Bigelow Laboratory for Ocean Sciences and the department including use of joint research, teaching and conference facilities; and be it further

**Sec. 2. Reversion to State. Resolved:** That property conveyed by the State pursuant to this resolve must be accepted, maintained and used for the purposes of marine research by the Bigelow Laboratory for Ocean Sciences. The conveyance is subject to all limitations and conditions that apply to the State's present ownership. The property may not be reconveyed, leased or rented to another party. The Bigelow Laboratory for Ocean Sciences shall be responsible for all costs of operating and maintaining the property. If the Commissioner of Marine Resources, or the commissioner's successor, determines that the conditions of this resolve are not being met, title and ownership of the property must revert to the State.

See title page for effective date.

## CHAPTER 40

S.P. 710 - L.D. 1893

### Resolve, to Adjust the Amounts of Money Allocated to Certain Projects for Site Acquisition, Construction, Repair and Renovation of Public Safety Facilities

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

**Whereas**, the people of the State have ratified the issuance of bonds for improved public safety facilities; and

**Whereas**, the proceeds from the sale of these bonds are to be allocated by the Legislature; and

**Whereas**, the present Department of Public Safety building at Thomaston should be replaced rather than repaired; and

**Whereas**, it is necessary to adjust available balances between projects to ensure completion of all improvements; and

**Whereas**, completion of public safety improvements is of paramount importance; 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

**Resolve 1989, chapter 9, amended. Resolved:** That Resolve 1989, c. 9, the 2nd, 4th and 5th expenditures following the heading "Construction and Repair of Public Safety Facilities," are amended to read:

South Portland (Crosby Farms) - construction of garage, storage and car wash, fuel services

Capital Expenditures	\$477,000	<u>\$590,000</u>
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Orono - communication building repair

Capital Expenditures	\$282,700	<u>\$193,800</u>
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Thomaston or Warren - building repair or site acquisition, survey, new buildings construction or utilities construction

Capital Expenditures	\$144,100	<u>\$120,000</u>
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**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 30, 1991.

## CHAPTER 41

### H.P. 1285 - L.D. 1855

#### **Resolve, to Authorize Oxford County to Issue Bonds for Improvements at the County Airport**

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

**Whereas**, improvements need to be made to the Oxford County airport; and

**Whereas**, the improvements need to be made as soon as possible so that the airport will remain a viable center of commerce; 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

**Sec. 1. Bonds. Resolved:** That to provide funds for certain improvements to the Oxford County airport, the treasurer of Oxford County, with the approval of the county commissioners, may borrow upon the full faith and credit of the county such sums, not exceeding in the aggregate \$200,000, as may be necessary and may issue bonds, which must bear on their face the words "Oxford County Capital Improvement Bonds." Each authorized issue is payable in such annual installments, beginning not more than 2 years from the date of issuance, as will extinguish each loan in not more than 20 years from its date. The bonds must be signed by the treasurer of the county and countersigned by the majority of the county commissioners. The county may sell the securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but at not less than par and accrued interest; and be it further

**Sec. 2. Temporary notes. Resolved:** That the county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable not more than one year from their dates, in anticipation of the issue of serial bonds under this resolve and may renew the same, but the time within which such serial bonds are due and payable may not, by reason of such temporary notes, be extended beyond the term fixed by this resolve. Any notes issued in anticipation of the serial bonds are paid from the proceeds of the bonds; and be it further

**Sec. 3. No referendum required. Resolved:** That, notwithstanding the Maine Revised Statutes, Title 30-A, sections 122 and 934, this resolve becomes valid upon enactment without being submitted to the voters of Oxford County; and be it further

**Sec. 4. Limitations. Resolved:** That bonds issued pursuant to this resolve may be used only to construct, equip or renovate facilities at the Oxford County Regional Airport for the purpose of providing facilities suitable for repairing, maintaining and painting aircraft. The treasurer may not issue bonds until the Oxford County Commissioners, after consultation with the Oxford County legislative delegation, unanimously certify in writing to each member of the Oxford County legislative delegation that:

A. The bonds will be leveraged with grants issued by an agency or department of the Federal Government or State Government; and

B. A private lease agreement for the facilities exists that guarantees repayment of the bond principal and interest by the lessee, including a guarantee of repayment in full by the lessee in the event of a breach of the lease by the lessee at any time during the term of bonds.