

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**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

---

---

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

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

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

**1991**

---

---

this resolve commits a civil violation for which a forfeiture of not more than \$500 may be adjudged for each day following the due date for which payment is not made.

**6. Deposit of funds.** All revenues derived from assessments levied against insurance companies, associations and self-insured employers described in this resolve must be reported and paid to the Treasurer of State as undedicated revenue to the General Fund; and be it further

**Sec. 7. Appropriation. Resolved:** That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1991-92

**LEGISLATURE**

**Blue Ribbon Commission to Examine Alternatives to the Workers' Compensation System**

All Other \$250,000

Provides funds for the compensation and expenses of members, consultant costs and miscellaneous expenses of the Blue Ribbon Commission to Examine Alternatives to the Workers' Compensation System. These funds may not lapse but must be carried forward from year to year to be expended for the same purpose.

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

Effective March 23, 1992.

**CHAPTER 60**

**E.P. 1614 - L.D. 2275**

**Resolve, Concerning the Removal of Residential Underground Oil Tanks**

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

Whereas, a substantial number of residents in the Bangor area have delayed removing residential underground oil tanks because the Department of Environmental Protection has made assurances that they would

develop a group contract to take advantage of economies of scale for their removal; and

Whereas, some of these residents are now in violation of the required removal schedule for nonconforming underground oil storage tanks; 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. Department of Environmental Protection to develop group contract. Resolved:** That the Legislature directs the Department of Environmental Protection, Bureau of Hazardous Materials and Solid Waste Control to contract by July 1, 1992 for the removal of registered residential underground oil storage tanks for owners of privately-owned housing that was constructed by the United States military in the Bangor area in developments commonly known as the Bangor Gardens and Cape Hart. A property owner that objects to the contract may opt out. The Department of Environmental Protection shall pay the costs of tank removal from the Ground Water Oil Clean-up Fund and seek reimbursement from the property owners. The costs of tank removal must be apportioned equally among the participating property owners. The Department of Environmental Protection shall inform the residents of the availability of Maine State Housing Authority grants to pay the costs of removal for residents who meet income guidelines; and be it further

**Sec. 2. Effect on certain provisions of Title 38 of the Maine Revised Statutes. Resolved:** That persons that own registered underground oil storage tanks removed pursuant to this group contract are not subject to enforcement action by the Department of Environmental Protection for not meeting the removal schedule for those tanks as set forth in the Maine Revised Statutes, Title 38, section 568-A, subsection 1, paragraph B, subparagraph (1). Tanks removed pursuant to this group contract are deemed in compliance with section 563-A.

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

Effective March 24, 1992.

**CHAPTER 61**

**H.P. 1611 - L.D. 2272**

**Resolve, to Authorize the Director of the Bureau of General Services to Condemn in the Name of the State Certain State-owned Land in the Town of Warren and the Town of Cushing and Exchange Boundary Line Agreements with Abutting Landowners**

**Sec. 1. Boundary agreements authorized. Resolved:** That the State, through the Director of the Bureau of General Services, is authorized to exchange boundary line agreements with landowners abutting state property on Route 97 in the Town of Warren and the Town of Cushing, Knox County, Maine and is further authorized to draft and execute any documents necessary to settle certain ancient clouds on state property and boundary line discrepancies; and be it further

**Sec. 2. Eminent domain authorized. Resolved:** That the Director of the Bureau of General Services may exercise the power of eminent domain to quiet for all time any possible challenges to state ownership of property on Route 97 in the Town of Warren and the Town of Cushing that is shown on the plan entitled "Plan of Standard Boundary Survey, Minimum Security Prison Farm, Route 97, Warren and Cushing, Maine" dated December 30, 1987 and revised through November 19, 1991. Any eminent domain proceedings brought pursuant to this resolve are governed by the procedures contained in the Maine Revised Statutes, Title 23, section 154, and must be initiated within one year of the effective date of this resolve.

See title page for effective date.

**CHAPTER 62**

**H.P. 1724 - L.D. 2413**

**Resolve, for Laying of the County Taxes and Authorizing Expenditures of Hancock County for the Year 1992**

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

**Whereas,** Hancock County has certain expenses and liabilities that must be met as they become due; and

**Whereas,** it is necessary that the taxes for the year 1992 mentioned be immediately assessed in order to provide the required revenue for the county; 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. Hancock County; taxes apportioned. Resolved:** That the following sum is granted as a tax on Hancock County to be apportioned, assessed, collected and applied to the purposes of paying debts and necessary expenses of the county as authorized in this resolve, and for other purposes of law, for the calendar year 1992:

**1992 TAX**

\$1,906,960

; and be it further

**Sec. 2. General Fund expenditures authorized. Resolved:** That the following sums, based on the county budget filed in the office of the Secretary of State, are authorized as General Fund expenditures by the county during the calendar year 1992, in the specific total amounts of expenditures for personal services, contractual services, commodities and capital expenditures for each account in the county budget:

| <b>APPROPRIATION<br/>ACCOUNT NUMBER</b> | <b>APPROPRIATIONS</b> |
|-----------------------------------------|-----------------------|
| 600 - District Court:                   |                       |
| Personal Services                       | \$ 1,000              |
| Contractual Services                    | 1,000                 |
| 601 - Superior Court:                   |                       |
| Personal Services                       | 1,000                 |
| Contractual Services                    | 21,000                |
| 602 - Emergency Management Agency:      |                       |
| Personal Services                       | 23,901                |
| Contractual Services                    | 2,653                 |
| Commodities                             | 495                   |
| 603 - District Attorney:                |                       |
| Personal Services                       | 106,229               |
| Contractual Services                    | 31,869                |
| Commodities                             | 4,700                 |
| 604 - County Commissioners:             |                       |
| Personal Services                       | 65,277                |
| Contractual Services                    | 7,015                 |
| Commodities                             | 1,525                 |
| 605 - County Treasurer:                 |                       |
| Personal Services                       | 17,486                |
| Contractual Services                    | 5,345                 |
| Commodities                             | 2,800                 |
| 606 - County Buildings:                 |                       |
| Personal Services                       | 73,579                |
| Contractual Services                    | 47,883                |
| Commodities                             | 31,200                |
| Capital Expenditures                    | 3,050                 |
| 607 - Community Corrections:            |                       |
| a - Support of Prisoners:               |                       |
| Contractual Services                    | 65,000                |
| Commodities                             | 40,000                |
| b - Adult Program:                      |                       |
| Personal Services                       | 24,787                |
| c - Juvenile Programs                   |                       |
| Contractual Services                    | 16,992                |