

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR  
FIRST REGULAR SESSION  
NON-EMERGENCY LAWS IS  
OCTOBER 13, 1993

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  
1993

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**RESOLVES**  
**OF THE**  
**STATE OF MAINE**  
**AS PASSED AT THE**  
**FIRST REGULAR SESSION**  
**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**  
**1993**

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tions and Financial Affairs no later than January 4, 1994. The report must include an estimate of the impact that the administrative cost reductions will have on that individual department or agency. Administrative cost-saving recommendations must be segregated by fiscal year, fund and program.

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

Effective May 27, 1993.

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## CHAPTER 12

H.P. 632 - L.D. 863

### Resolve, to Establish a Land Swap in Carrabassett Valley

**Sec. 1. Director of the Bureau of Public Lands authorized to consummate the exchange of certain lands. Resolved:** That the Director of the Bureau of Public Lands is authorized to release to Sugarloaf Mountain Corporation any interest the State may have in and to certain lots or parcels of land that are shown on plans referenced in this resolve or that have been previously conveyed by Sugarloaf Mountain Corporation or its predecessor in title; and be it further

**Sec. 2. Sugarloaf Mountain Corporation authorized to exchange certain lands with the State. Resolved:** That the Sugarloaf Mountain Corporation release to the State any interest Sugarloaf Mountain Corporation may have in and to a disputed 20-rod strip that lies between the westerly line of the Public Lot as originally laid out by the County Commissioners of Franklin County in 1847 and the line as surveyed by L.E. Houghton in 1926 or that is shown on a plan entitled "Bigelow Corporation, Section One, Mellow Tract, Crockertown, Franklin County, Maine, Development Plan, James W. Sewall Company Planning Consultants, Old Town, Maine, surveyed by Clyde B. Hodgkins, October 1960," and recorded in the Franklin County Registry of Deeds May 23, 1962, in Book 128 1/2, Page 11, or on a plan entitled "Sugarloaf Village, Section Two, Bigelow Corporation, Franklin County, Maine, surveyed by John Pickett, N. Anson, Maine," dated October 20, 1966 and recorded in the Franklin County Registry of Deeds December 23, 1966, in Book 13 1/2, Page 5, that has not been previously conveyed out of that 20-rod strip by Sugarloaf Mountain Corporation or its predecessor in title; and be it further

**Sec. 3. Sugarloaf Mountain Corporation authorized to release interest of land to certain landowners. Resolved:** That the Sugarloaf Mountain Corporation release any interest the Sugarloaf Mountain Cor-

poration may have to the lot owners of record in and to the lots or parcels of land that are shown on the plans referenced in this resolve or that have been previously conveyed by Sugarloaf Mountain Corporation or its predecessor in title; and be it further

**Sec. 4. Sugarloaf Mountain Corporation to set monuments. Resolved:** That the Sugarloaf Mountain Corporation monument the bounds of that portion of the 20-rod strip that Sugarloaf Mountain Corporation is releasing to the State.

See title page for effective date.

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## CHAPTER 13

H.P. 901 - L.D. 1216

### Resolve, to Name the So-called "Covered Bridge", No. 2189, Spanning the Aroostook River, in Presque Isle on Route 1, the Harold N. Flagg Memorial Bridge

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

**Sec. 1. Harold N. Flagg Memorial Bridge, Resolved:** That the bridge spanning the Aroostook River on Route 1 in Presque Isle be named the "Harold N. Flagg Memorial Bridge" and that the appropriate plaque be erected by the Department of Transportation near the bridge. The cost of the plaque is the responsibility of the Flagg family.

See title page for effective date.

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## CHAPTER 14

H.P. 527 - L.D. 711

### Resolve, Concerning a Special Revenue Account for Emergency Medical Services

**Sec. 1. Study. Resolved:** That the Emergency Medical Services' Board, as established by the Maine Revised Statutes, Title 5, section 12004-A, subsection 15, is authorized to conduct a study for the purpose of identifying sources of revenue to be used to replace General Fund appropriation money for funding of the State's emergency medical services and the regional councils of the statewide emergency medical services system. The sources of revenue may include, but are not limited to, assessing a fee on utilities, insurance premiums, auto registrations and operator's licenses; and be it further

**Sec. 2. Report. Resolved:** That the Emergency Medical Services' Board shall submit a report of their activities pertaining to this resolve together with

any recommended legislation to the Joint Standing Committee on Appropriations and Financial Affairs by November 15, 1993.

See title page for effective date.

**CHAPTER 15**

**H.P. 122 - L.D. 163**

**Resolve, for Amending the Laws Pertaining to Job Classification Specifications**

**Sec. 1. Department of Administrative and Financial Services authorized to reclassify certain executive department positions. Resolved:** That the Department of Administrative and Financial Services shall conduct a personnel audit of the unclassified positions in the Maine Revised Statutes, Title 5, sections 931 to 953-A in the executive branch and make recommendations on the reclassification of those positions to classified positions. The department shall exempt the commissioner and one additional employee in each department, who shall serve as the 2nd highest-ranked employee in that department. A department may request additional exemptions. A request for additional exemptions must be prioritized in writing and include a justification for the request. These requests must be included in the final report; and be it further

**Sec. 2. Reporting date established. Resolved:** That the Department of Administrative and Financial Services shall report its findings, including any implementing legislation, to the Second Regular Session of the 116th Legislature by January 1, 1994.

See title page for effective date.

**CHAPTER 16**

**H.P. 609 - L.D. 824**

**Resolve, to Direct the Department of Environmental Protection to Develop a Report Regarding the Feasibility of the State Applying to Assume Permitting Jurisdiction over Federal Wetlands**

**Sec. 1. Department of Environmental Protection duties. Resolved:** That no later than February 1, 1995, the Department of Environmental Protection, in cooperation with the State Planning Office, shall prepare and submit a report to the Joint Standing Committee on Energy and Natural Resources examining the feasibility of an application to the Environmental Protection Agency to assume state authority over the permitting of wetlands under the United States Clean Wa-

ter Act, Section 404. The report must examine the increased efficiencies and enhanced protection that could result from consolidating federal and state regulation of wetlands; any statutory or regulatory changes that would have to be made to the State's wetlands protection program; the staff and technical and financial resources that assumption of the federal program would require; and any other methods or options possible for reducing duplication and inefficiencies in the wetland permitting process. The report must be accompanied by any proposed legislation that may be necessary to implement the report's recommendations; and be it further

**Sec. 2. Work group. Resolved:** That the Director of the Bureau of Land Quality Control, in cooperation with the State Planning Office, shall convene a working group consisting of a balanced representation of conservation and development interests, as well as federal and state agencies involved in the protection and regulation of wetlands. The working group must be consulted in all phases of the report's development and conclusions; and be it further

**Sec. 3. Staffing; contingency. Resolved:** That the responsibilities of the Department of Environmental Protection and the State Planning Office set forth in this resolve are contingent upon the State Planning Office receiving a federal grant to prepare a state wetland conservation plan and the establishment by this Legislature of a federally funded one-year project position at the State Planning Office. If that grant is received and that position is created, the State Planning Office shall provide staffing support to the Department of Environmental Protection to fulfill the requirements of this resolve; and be it further

**Sec. 4. Allocation. Resolved:** That the following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this resolve.

	1993-94	1994-95
<b>EXECUTIVE DEPARTMENT</b>		
<b>State Planning Office</b>		
Positions- Other Count	(1.0)	(1.0)
Personal Services	29,420	9,807
All Other	26,830	8,943
Provides authorization and allocations for one Senior Planner position necessary to conduct required federal wetlands study.		
<b>EXECUTIVE DEPARTMENT TOTAL</b>	<b>\$56,250</b>	<b>\$18,750</b>

See title page for effective date.