

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

CHAPTER 3

H.P. 133 - L.D. 175

**An Act to Make Technical Changes
in Laws Authorizing the Sale of the
Pineland Center**

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

Sec. 1. P&SL 1995, c. 79, §1, sub-§4 is amended to read:

4. State property. "State property" means the property known as "the Pineland Center," containing approximately 299.92 acres, and described in the following deeds recorded in the Cumberland County Registry of Deeds: Book 822, Page 249; Book 822, Page 251; Book 822, Page 253; Book 822, Page 255; Book 822, Page 257; Book 822, Page 323; Book 823, Page 385; Book 826, Page 79; Book 844, Page 28; and Book 943, Page 38; Book 1796, Page 401; and Book 1870, Page 294, together with the buildings and improvements, all appurtenant rights and easements and all personal property located on that property, including vehicles, machinery, equipment and supplies.

Sec. 2. P&SL 1995, c. 79, §2, sub-§4 is amended to read:

4. Eminent domain. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, the power of eminent domain for the purpose of quieting for all time any possible challenges to ownership of the state property including title to the rangeways and crossways within the state property and for no other purpose;

Sec. 3. P&SL 1995, c. 79, §2, sub-§5 is amended to read:

5. Contribute to value. Negotiate, draft, execute and deliver any easements or other rights that could contribute to the value of a proposed sale or lease of the State's interests, including rangeways and crossways within the state property; and

See title page for effective date.

CHAPTER 4

H.P. 168 - L.D. 223

**An Act to Clarify the Territory
Included within Lake Arrowhead
Community, Incorporated**

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

Sec. 1. P&SL 1995, c. 37, §2 is repealed and the following enacted in its place:

Sec. 2. Territory of Lake Arrowhead Community, Inc., defined. The territory of Lake Arrowhead Community, Inc., being that real estate in the Town of Limerick and the Town of Waterboro in the County of York encompassed by the subdivisions sometimes known as Lake Arrowhead Estates including all lots, all real estate owned by Lake Arrowhead Community, Inc., all private roads and rights-of-way and all other real estate within the confines of the Lake Arrowhead Estates subdivisions as shown on and described by the subdivision plans of Lake Arrowhead Estates recorded in the York County Registry of Deeds. These plans include, but are not limited to, the following: that real estate shown on plans of Lake Arrowhead Estates recorded in York County Registry of Deeds in Book 50, Pages 12, 13 and 14 on December 30, 1969; Book 50, Pages 17 and 18 on December 31, 1969; Book 52, Pages 46, 47 and 48 on November 5, 1970; Book 54, Pages 23 and 24 on June 11, 1971; Book 57, Page 33 on December 22, 1971; Book 61, Pages 4 to 24, inclusive, Pages 25 to 31, inclusive, and Pages 33 to 37, inclusive, on January 18, 1973; Book 61, Pages 41 to 50, inclusive, on February 13, 1973; Book 62, Pages 1 to 52, inclusive, on February 13, 1973; Book 63, Pages 1 to 10, inclusive, on February 13, 1973; Book 65, Pages 20 to 28, inclusive, on September 26, 1973; and real estate described in a certain deed recorded in Book 2641, Page 279, recorded on March 30, 1980; together with the inhabitants of that territory and the owners of real estate in that territory, is confirmed as a body politic and corporate by the name of Lake Arrowhead Community, Inc., referred to in this Act as the "corporation."

See title page for effective date.

CHAPTER 5

H.P. 206 - L.D. 259

**An Act to Make Supplemental
Allocations from the Highway Fund
and Other Funds for the Fiscal Year
Ending June 30, 1997**

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, 1997; 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:

PART A

Sec. A-1. Allocation. The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1997, to the departments listed, to carry out the purposes of this Part.

	1996-97	
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Claims Board		
Personal Services	(\$21,000)	
Provides for the deallocation of funds through a transfer to meet payroll shortfalls in the Bureau of Taxation, and the Bureau of General Services.		
Motor Vehicle Building Maintenance		
Personal Services	5,000	
Provides for the allocation of funds through a transfer from the Claims Board to meet a payroll shortfall, resulting from unavoidable overtime, and vacancies being filled at a step higher than budgeted.		
Taxation - Bureau of		
Personal Services	16,000	
Provides for the allocation of funds for a transfer from the Claims Board to meet a payroll shortfall, resulting from vacancies being filled at a higher step than budgeted.		

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	_____
TOTAL	0

ATTORNEY GENERAL, DEPARTMENT OF THE	
District Attorneys Salaries	
Personal Services	(18,700)
All Other	18,700

TOTAL	0

Provides for the allocation of funds for paying Sta-cap expenses.

DEPARTMENT OF THE ATTORNEY GENERAL	
TOTAL	_____
	0

SECRETARY OF STATE, DEPARTMENT OF THE	
Administration - Motor Vehicles	
Positions - Legislative Count	(-1.0)
Personal Services	(24,582)
All Other	(228,607)

TOTAL	(253,189)

Provides for the deallocation of funds through the elimination of one vacant Clerk Typist II position, savings from the Motor Carrier Fuel Tax processing system, reduction of rental and lease costs, reduction in maintenance contracts and a reduction in Sta-cap as recommended by the Transportation Subcommittee for Budget Review.

DEPARTMENT OF THE SECRETARY OF STATE	
TOTAL	_____
	(253,189)

TRANSPORTATION, DEPARTMENT OF
Bond Retirement - Highway

<p>All Other Provides for the allocation of funds for the principal payment related to the bond sale of May 1996.</p>	<p>2,000,003</p>	<p>needed to support the Bridge Maintenance program.</p>	
<p>Bridge Maintenance</p>		<p>Traffic Services</p>	
		<p>Personal Services 100,000 All Other 150,000</p>	<hr/>
<p>All Other Provides for the allocation funds to support increased efforts for the maintenance of bridges statewide including the additional responsibilities of the maintenance of the Penobscot Bay transfer bridges.</p>	<p>300,000</p>	<p>TOTAL Provides for the allocation of funds for overtime and related support costs for the Traffic Services program.</p>	<p>250,000</p> <hr/>
<p>Highway Maintenance</p>		<p>Highway and Bridge Improvement</p>	
		<p>Personal Services (2,200,000) All Other 1,800,000</p>	<hr/>
<p>Personal Services (4,500,000) All Other 3,000,000 Capital Expenditures 1,500,000</p>	<p>(4,500,000) 3,000,000 1,500,000</p> <hr/>	<p>TOTAL Provides for the deallocation of salary savings for the purpose of providing funding for ongoing project commitments.</p>	<p>(400,000)</p> <hr/>
<p>TOTAL Provides for the deallocation of salary savings to provide for the Spring 1997 paving program and the purchase of materials and services needed to support the Highway Maintenance program.</p>	<p>0</p>	<p>Local Bridges</p>	
		<p>Personal Services 400,000</p>	
		<p>Provides for the allocation of funds to meet increased personal services costs needed to support the increased efforts of the Local Bridges program.</p>	
<p>Highway Maintenance</p>		<p>DEPARTMENT OF TRANSPORTATION</p>	
<p>Personal Services (8,627) Provides for the deallocation of funds through the elimination of one Clerk Typist I position, one Clerk Stenographer I position and the addition of 2 Clerk Typist II positions.</p>	<p>(8,627)</p>	<p>TOTAL SECTION A-1 TOTAL ALLOCATIONS</p>	<hr/> <p>2,291,376</p> <hr/> <p>\$2,038,187</p>
<p>Bridge Maintenance</p>		<p>Sec. A-2. Allocation. The following funds are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1997 to carry out the purposes of this Part.</p>	
			<p>1996-97</p>
<p>Personal Services (650,000) All Other 400,000</p>	<p>(650,000) 400,000</p> <hr/>	<p>TRANSPORTATION, DEPARTMENT OF</p>	
<p>TOTAL Provides for the deallocation of salary savings for the purchase of materials and services</p>	<p>(250,000)</p>	<p>Highway and Bridge Improvement</p>	
		<p>Personal Services \$1,000,000 All Other 2,500,000 Capital Expenditures (3,500,000)</p>	

TOTAL	0
Provides for the allocation of funds in order to properly reflect actual project costs.	
Local Bridges	
Personal Services	220,000
All Other	(220,000)
TOTAL	0
Provides for the allocation of funds in order to properly reflect actual project costs.	
DEPARTMENT OF TRANSPORTATION	
TOTAL	0
SECTION A-2	
TOTAL ALLOCATIONS	\$0

Sec. A-3. Allocation. The following funds are allocated from the Augusta State Airport Fund for the fiscal year ending June 30, 1997 to carry out the purposes of this Part.

	1996-97
TRANSPORTATION, DEPARTMENT OF	
Administration & Planning	
All Other	(5,490)
Provides funds for approved reclassifications and range changes.	
DEPARTMENT OF TRANSPORTATION	
TOTAL	(5,490)
SECTION C-1	
TOTAL ALLOCATION	(\$5,490)
Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.	
Effective March 27, 1997.	

Sec. B-1. Allocation. The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1997, to the departments listed,

	1996-97
TRANSPORTATION, DEPARTMENT OF	
Administration & Planning	
Personal Services	5,490
DEPARTMENT OF TRANSPORTATION	
TOTAL	5,490
SECTION B-1	
TOTAL ALLOCATIONS	\$5,490

PART C

Sec. C-1. Allocation. The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1997, to the departments listed, in order to provide funding for approved reclassifications and range changes.

	1996-97
TRANSPORTATION, DEPARTMENT OF	
Administration & Planning	
All Other	(5,490)
Provides funds for approved reclassifications and range changes.	
DEPARTMENT OF TRANSPORTATION	
TOTAL	(5,490)
SECTION C-1	
TOTAL ALLOCATION	(\$5,490)

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

Effective March 27, 1997.

CHAPTER 6

H.P. 238 - L.D. 302

An Act to Study Job Creation for Welfare Recipients